

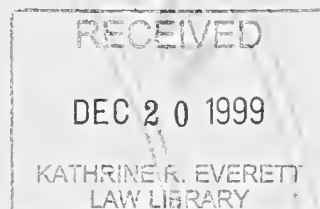
NORTH CAROLINA REGISTER

VOLUME 14 • ISSUE 12 • Pages 953 - 1088

December 15, 1999

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Secretary of State
Transportation
Rules Review Commission
Contested Case Decisions



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*The Office of Administrative Hearings
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For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive.

Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.

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(919) 733-7061

(919) 733-0640 FAX

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wplonk@osbm.state.nc.us

Rule Review and Legal Issues

Rules Review Commission

1307 Glenwood Ave., Suite 159

Raleigh, North Carolina 27605

(919) 733-2721

(919) 733-9415 FAX

contact: Joe DeLuca Jr., Staff Director Counsel
Bobby Bryan, Staff Attorney

Legislative Process Concerning Rule-making

Joint Legislative Administrative Procedure Oversight Committee

545 Legislative Office Building

300 North Salisbury Street

Raleigh, North Carolina 27611

(919) 733-2578

(919) 715-5460 FAX

contact: Mary Shuping, Staff Liaison

marys@ms.ncga.state.nc.us

County and Municipality Government Questions or Notification

NC Association of County Commissioners

215 North Dawson Street

Raleigh, North Carolina 27603

(919) 715-2893

contact: Jim Blackburn or Rebecca Troutman

NC League of Municipalities

215 North Dawson Street

Raleigh, North Carolina 27603

(919) 715-4000

contact: Paula Thomas

NORTH CAROLINA REGISTER



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EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
<p>The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:</p> <p>(1) temporary rules;</p> <p>(2) notices of rule-making proceedings;</p> <p>(3) text of proposed rules;</p> <p>(4) text of permanent rules approved by the Rules Review Commission;</p> <p>(5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;</p> <p>(6) Executive Orders of the Governor;</p> <p>(7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;</p> <p>(8) orders of the Tax Review Board issued under G.S. 105-241.2; and</p> <p>(9) other information the Codifier of Rules determines to be helpful to the public.</p> <p>COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.</p>	<p>ISSUE DATE: The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.</p> <p>LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.</p>	<p>END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS: This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.</p> <p>EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.</p>	<p>EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p>END OF REQUIRED COMMENT PERIOD</p> <p>(1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.</p> <p>(2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.</p> <p>DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.</p> <p>FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.</p>

**EXECUTIVE ORDER NO. 165
EXTENDING EXECUTIVE ORDER NO. 159
EMERGENCY RELIEF FOR DAMAGE CAUSED BY HURRICANE FLOYD**

By the power and authority vested in me as Governor by the Constitution and laws of the State of North Carolina, IT IS ORDERED:

Executive Order Number 159, Emergency Relief for Damage Caused by Hurricane Floyd, as amended by Executive Order Number 162, is hereby re-instituted and the provisions therein shall remain in full force and effect through January 31, 2000.

Done in the Capital City of Raleigh, North Carolina, this the 15th day of November, 1999.

s/s James B. Hunt Jr.
Governor

ATTEST:

s/s Elaine F. Marshall
Secretary of State

STATE OF NORTH CAROLINA

**BEFORE THE
TAX REVIEW BOARD**

COUNTY OF WAKE

IN THE MATTER OF:

The Denial of a Claim for Refund of Sales)	
and Use Tax for the period of October 1,)	
1993, through September 30, 1996 by the)	
Secretary of Revenue)	<u>ADMINISTRATIVE DECISION</u>
)	Number: <u>356</u>
vs.)	
)	
CHEP USA)	
Taxpayer)	

This matter was heard before the Regular Tax Review Board in the city of Raleigh, Wake County, North Carolina on May 27, 1999, upon Taxpayer's petition for administrative review of the Final Decision of the Assistant Secretary of Revenue entered on March 4, 1998, sustaining the denial of Taxpayer's claim for refund of sales and use tax for the period of October 1, 1993 through September 30, 1996. The Taxpayer was at the hearing by Attorneys, Joseph D. Joyner, Jr. and Sue A. Sprunger. Marilyn R. Mudge, Assistant Attorney General appeared at the hearing for the Department of Revenue.

Chairman Harlan E. Boyles, State Treasurer presided over the hearing with Jo Anne Sanford, Chair, Utilities Commission and duly appointed member, Noel L. Allen, Attorney at Law participating.

On November 13, 1996, Taxpayer submitted a claim for refund of sales and use tax paid for the period of October 1, 1993, through September 30, 1996. On December 3, 1996, the Division notified the Taxpayer that its demand for refund was denied. On December 23, 1996, Taxpayer objected to the Division's denial of the claim for refund and requested a hearing before the Secretary of Revenue pursuant to G.S. 105-266.1. On March 4, 1998, the Assistant Secretary entered his decision that sustained the denial of Taxpayer's claim for refund of sales and use taxes for the period of October 1, 1993, through September 30, 1996. Pursuant to G.S. 105-241.2, Taxpayer filed a notice of intent and petition for administrative review of the Assistant Secretary's final decision with the Tax Review Board.

ISSUE

The issue to be decided in this matter is as follows:

1. Is Taxpayer liable for collecting and remitting tax on its rentals of pallets to a food product manufacturer?

EVIDENCE

The evidence presented at hearing before the Secretary of Revenue and included in the record presented to the Board is as follows:

1. Memorandum dated April 18, 1996, from the Secretary of Revenue to the Assistant Secretary of Revenue, designated as Exhibit E-1.
2. Application for registration, designated as Exhibit E-2.
3. Claim for refund of sales and use tax dated November 13, 1996, designated as Exhibit E-3.
4. Letter dated November 15, 1996, from the Taxpayer's representative to the Division, designated as Exhibit E-4.
5. Letter dated December 3, 1996, from the Division to Taxpayer's representative, designated Exhibit E-5.

6. Letter dated December 23, 1996, from the Taxpayer's representative, designated as Exhibit E-6.
7. Letter dated January 10, 1997, from Sales and Use Tax Division to Taxpayer's representative, designated as Exhibit E-7.
8. Letter dated February 24, 1997, from the Taxpayer's representative to the Sales and Use Tax Division, designated as Exhibit E-8.
9. Letter dated May 21, 1997, from Sales and Use Tax Division to Taxpayer's representative, designated as Exhibit E-9.
10. Letter dated July 15, 1997, from the Assistant Secretary of Revenue to the Taxpayer's representative, designated as Exhibit E-10.
11. Letter dated July 23, 1997, from Taxpayer's representative to the Assistant Secretary, designated as Exhibit E-11.
12. Letter dated July 28, 1997, from the Assistant Secretary to Taxpayer's representative, designated as Exhibit E-12.
13. Letter dated September 22, 1997, from the Assistant Secretary to Taxpayer, designated as Exhibit E-13.
14. Memorandum dated November 2, 1965, from the office of the Attorney General to the Division, designated as Exhibit E-14.
15. Memorandum dated January 9, 1997, from the Office of the Attorney General to the Secretary, designated as Exhibit E-15.
16. Brief for Tax Hearing submitted by the Division, designated as Exhibit E-16.
17. Memorandum and attachments dated November 6, 1997, from Taxpayer's representative, designated as Exhibit TP-1.
18. Letter dated December 11, 1997, from Taxpayer's representative to the Assistant Secretary, designated as Exhibit TP-2.
19. Letter dated October 21, 1997, from the Assistant Secretary to Taxpayer, designated as Exhibit S-1.
20. Letter dated November 7, 1997, from the Assistant Secretary to Taxpayer, designated as Exhibit S-2.

FINDINGS OF FACT

The Board considered the following findings of fact in the Assistant Secretary's final decision in reaching its decision:

1. Taxpayer rents pallets to manufacturers, distributors and other vendees through implementation of a distribution system whereby the pallets are eventually returned to Taxpayer after transfer to multiple users in the course of rental to one vendee.
2. Taxpayer rented pallets to a manufacturer and charged a daily rental fee for the number of pallets in possession of the manufacturer.
3. Taxpayer collected and remitted the applicable State and local tax on its rental charges made to the manufacturer.
4. The manufacturer placed its products sold to retailers on the pallets and shipped the pallets and merchandise to said purchasers.
5. The manufacturer had no financial obligation to Taxpayer for rental of the pallets after the pallets bearing its products were shipped to customers.
6. The manufacturer's customers were responsible for returning the pallets to Taxpayer. These customers incurred no charges for the pallets in their possession unless a pallet was lost or damaged.
7. Taxpayer retained title to the pallets throughout the course of the transactions.

8. Taxpayer protested the Division's denial of its demand for refund and filed a timely request for hearing.

CONCLUSIONS OF LAW

The Board considered the following conclusions of law made by the Assistant Secretary in the final decision:

1. Taxpayer was at all material times engaged in the business of renting tangible personal property.
2. Taxpayer made a rental of pallets to the manufacturer for use by the manufacturer.
3. The pallets do not constitute part of the manufacturer's sales of its products to its customer.
4. Taxpayer's rentals of pallets for the manufacturer are not exempt under the provisions of G.S. 105-164.13(23).
5. Taxpayer filed a timely demand for refund for the period of October 1, 1993, through September 30, 1996, pursuant to G.S. 105-266.1.

DECISION

The scope of administrative review for petitions filed with the Tax Review Board is governed by G.S. 105-241.2(b2). After the Board conducts a hearing this statute provides in pertinent part: "The Board shall confirm, modify, reverse, reduce or increase the assessment or decision of the Secretary."

The Taxpayer argues that that Assistant Secretary erred in failing to conclude as a matter of law that the pallets were a part of the sale of the goods. G.S. 105-164.13(23) exempts the sale of certain materials "when such materials are used for packaging, shipment or delivery of tangible personal property which is sold either at wholesale or retail when such articles constitute a part of the sale of the tangible personal property and are delivered to the customer." The subject pallets are not specifically listed in G.S. 105-164.13(23) as articles subject to the exemption. However, the Department has allowed the exemption for such articles when it is determined that the articles are "part of the sale" of the products sold to the distributor by the manufacturer.

Since the gross receipts derived from the lease or rental of the tangible personal property are made taxable by G.S. 105-164.4(2), Taxpayer's rental of the pallets are taxable unless Taxpayer demonstrates that the exemption under G.S. 105-164.13(23) applies. The burden of proof falls upon the Taxpayer to show that the pallets are exempt from taxation. As a general rule, an exemption statute is strictly construed; thus the Board must determine that the Taxpayer has carried its burden in this matter.

The Board having conducted a hearing in this matter and having considered the petition, the briefs, the record and the final decision of Assistant Secretary, concludes that the Taxpayer did not carry its burden of proof in this matter. The Taxpayer failed to show that the pallets were a part of the sale of the goods from the manufacturer to the distributor. Furthermore, the finding of facts by the Assistant Secretary were not disputed, and the facts do not support Taxpayer's claim for exemption under G.S. 105-164.13(23). Thus, the Assistant Secretary correctly concluded as a matter of law that G.S. 105-164.13(23) did not apply.

IT IS THEREFORE ORDERED, by a vote of 2 to 1, to **confirm** in all respects the Assistant Secretary's final decision sustaining the denial of Taxpayer's claim for a refund of sales and use tax for the period of October 1, 1993, through September 30, 1996.

Made and entered into this 13th day of August, 1999.

s/s Harlan E. Boyles, Chairman
State Treasurer

s/s Jo Anne Sanford, Member
Chair, Utilities Commission

A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

TITLE 11 - DEPARTMENT OF INSURANCE

CHAPTER 4 - CONSUMER SERVICES DIVISION

CHAPTER 12 - LIFE AND HEALTH DIVISION

CHAPTER 18 - MULTIPLE EMPLOYER WELFARE ARRANGEMENTS

Notice of Rule-making Proceedings is hereby given by the NC Department of Insurance in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 11 NCAC 4; 12; 18.

Authority for the rule-making: G.S. 58-2-40; 58-3-100; 58-63-15; 58-63-65

Statement of the Subject Matter: Insurance Unfair Claims Settlement Practices

Reason for Proposed Action: Adopt new rules, and revise and modernize existing rules for unfair claim settlement practices in accordance with changes in statutory authority.

Comment Procedures: Written comments may be sent to Louis Belo, Market Examinations, NC Department of Insurance, 111 Seaboard Avenue, Raleigh, NC 27604.

CHAPTER 8 - ENGINEERING AND BUILDING CODES DIVISION

Notice of Rule-making Proceedings is hereby given by the NC Manufactured Housing Board/NC Department of Insurance in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 11 NCAC 8 .0900. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 143-143.10(b)(4)

Statement of the Subject Matter: Continuing education rules for set-up contractors, enforcement rules under the Uniform Standards for Manufactured Homes Act, and rules for prehearing conferences.

Reason for Proposed Action: Establish requirements for a continuing education program for set-up contractors; adopt rules for the enforcement of the Uniform Standards for Manufactured Homes Act, and for the Manufactured Housing Board staff to conduct prehearing conferences; and update current rules.

Comment Procedures: Written comments should be sent to Patrick Walker, NC Manufactured Housing Board, NC Department of Insurance, 410 N. Boylan Avenue, Raleigh, NC 27603. Anyone having questions should contact Patrick Walker at (919) 733-3901.

TITLE 12 - DEPARTMENT OF JUSTICE

CHAPTER 10 - N.C. SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

Notice of Rule-making Proceedings is hereby given by the NC Sheriffs' Education and Training Standards Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 12 NCAC 10B .0302-.0303, .0909. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 17-E

Statement of the Subject Matter:

.0302 - Documentation of Educational Requirement - sets out what documentation Division staff can accept for completion of High School

.0303 - Fingerprint Records Check - sets out Division and agency handling of applicant fingerprint records check

.0909 - Terms and Conditions of a Limited Lecturer Certification - sets out what Limited Lecturer must do in order to maintain their certification to teach in the Detention Officer Certification Course

Reason for Proposed Action:

.0302 - Documentation of Educational Requirement - proposed amendment clarifies that Division staff can accept completion of High School through charter, home schooling, etc.

.0303 - Fingerprint Records Check - language made more general in order to accommodate the live-scanning of applicant fingerprint cards, whereby hard copies of the cards will be phased out over time

.0909 - Terms and Conditions of a Limited Lecturer Certification - sets out that Limited Lecturers certified to teach Physical Fitness and Subject Control Techniques in the Detention Officer Certification Course (DOCC), can satisfy their instructional requirement by teaching in either the DOCC or Basic Law Enforcement Training Course. The other Limited Lecturers must continue to meet their instructional requirement by teaching the appropriate topical area in which they are certified only in the DOCC.

Comment Procedures: Please contact Peggy Bilbrey, NC Sheriffs' Education and Training Standards Commission, PO Drawer 629, Raleigh, NC 27602, phone (919) 716-6460 with any questions or comments concerning this information.

**TITLE 15A - DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES**

CHAPTER 3 - MARINE FISHERIES

SUBCHAPTER 3M - FINFISH

**SUBCHAPTER 3Q - JURISDICTION OF
AGENCIES: CLASSIFICATION OF WATERS**

Notice of Rule-making Proceedings is hereby given by the NC Marine Fisheries Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 15A NCAC 3M .0301; 3Q .0107 - Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 113-132; 113-134; 113-182; 143B-289.52

Statement of the Subject Matter: Mackerel, striped bass

Reason for Proposed Action: To require National Marine Fisheries Service Federal Mackerel Permits to take mackerel commercially in state waters; to restrict or prohibit the use of gill nets to take king mackerel in the Atlantic Ocean south of Cape Lookout and to amend the taking of striped bass in joint waters by recreational gear.

Comment Procedures: Written comments are encouraged and may be submitted to MFC, Juanita Gaskill, PO Box 769, Morehead City, NC 28557.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 33 - MIDWIFERY JOINT COMMITTEE

Notice of Rule-making Proceedings is hereby given by the Midwifery Joint Committee in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

Citation to Existing Rules Affected by this Rule-Making: 21 NCAC 33 .0102, .0106. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 90-171.83; 90-178.2; 90-178.5; 90-178.4(b)

Statement of the Subject Matter: Listing of fees for initial and renewal applications for approval to practice and the fee for reinstating a lapsed approval. How a graduate nurse midwife may apply for approval to practice as an applicant and how the applicant may function with limitations.

Reason for Proposed Action: To bring the fee structure in compliance with the fees adopted by the Committee. New General Statutes by the 1999 Legislative Session for the Nurse Licensure Compact of the North Carolina Board of Nursing.

Comment Procedures: Comments regarding this action should be directed to Jean H. Stanley, APA Coordinator, Midwifery Joint Committee, PO Box 2129, Raleigh, NC 27612.

This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.

TITLE 11 - DEPARTMENT OF INSURANCE

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Home Inspector Licensure Board/NC Department of Insurance intends to amend rules cited as 11 NCAC 8 .1103, .1105-1107, .1116. Notice of Rule-making Proceedings was published in the Register on October 15, 1999.

Proposed Effective Date: July 1, 2000

A Public Hearing will be conducted at 9:00 am on January 14, 2000 at 410 Boylan Avenue, Raleigh, NC 27603.

Reason for Proposed Action: Standards of Practice rules need to be updated.

Comment Procedures: Written comments should be sent to Grover Sawyer, NC Home Inspector Licensure Board, NC Department of Insurance, 410 Boylan Avenue, Raleigh, NC 27603. Anyone having questions should contact Grover Sawyer at (919) 733-3901.

Fiscal Impact

State Local Sub. None

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CHAPTER 8 - ENGINEERING AND BUILDING CODES DIVISION

SECTION .1100 - N.C. HOME INSPECTOR STANDARDS OF PRACTICE AND CODE OF ETHICS

.1103 PURPOSE AND SCOPE

(a) Home inspections performed according to this Section shall provide the client with a better understanding of the property conditions, as observed at the time of the home inspection.

(b) Home inspectors shall:

- (1) Provide a written, signed contract that shall: written contract, signed by the client, before the home inspection is performed that shall:
 - (A) State that the home inspection is in accordance with the Standards of Practice of the North Carolina Home Inspector Licensure Board;
 - (B) Describe what services shall be provided and their cost; and
 - (C) State, when an inspection is for only one or a limited number of systems or components, that

the inspection is limited to only those systems or components;

- (2) Observe readily visible and accessible installed systems and components listed in this Section; and
- (3) Submit a written report to the client that shall:
 - (A) Describe those systems and components specified to be described in Rules .1106 through .1115 of this Section;
 - (B) State which systems and components designated for inspection in this Section have been inspected, and state any systems or components designated for inspection that were not inspected, and the reason for not inspecting;
 - (C) State any systems or components so inspected that do not function as intended, allowing for normal wear and tear, or adversely affect the habitability of the dwelling; and
 - (D) State the name, license number, and signature of the person supervising the inspection and the name, license number, and signature of the person conducting the inspection.
- (c) This Section does not limit home inspectors from:
 - (1) Reporting observations and conditions or rendering opinions of items in addition to those required in Paragraph (b) of this Rule; or
 - (2) Excluding systems and components from the inspection if requested by the client, and so stated in the written contract.

(d) Written reports required by this Rule for pre-purchase home inspections of three or more systems shall include a summary of any system or component that:

- (1) does not function as intended or adversely affects the habitability of the dwelling; or
- (2) appears to warrant further investigation by a specialist or requires subsequent observation.

This summary shall not contain recommendations for routine upkeep of a system or component to keep it in proper functioning condition or recommendations to upgrade or enhance the function, efficiency, or safety of the home. This summary shall contain the following statements: "This summary is not the entire report. The complete report may include additional information of concern to the client. It is recommended that the client read the complete report."

Authority G.S. 143-151.49.

.1105 GENERAL EXCLUSIONS

- (a) Home inspectors are not required to report on:

- (1) Life expectancy of any component or system;
 - (2) The causes of the need for a repair;
 - (3) The methods, materials, and costs of corrections;
 - (4) The suitability of the property for any specialized use;
 - (5) Compliance or non-compliance with codes, ordinances, statutes, regulatory requirements or restrictions;
 - (6) The market value of the property or its marketability;
 - (7) The advisability or inadvisability of purchase of the property;
 - (8) Any component or system that was not observed;
 - (9) The presence or absence of pests such as wood damaging organisms, rodents, or insects; or
 - (10) Cosmetic items, underground items, or items not permanently installed.
- (b) Home inspectors are not required to:
- (1) Offer warranties or guarantees of any kind;
 - (2) Calculate the strength, adequacy, or efficiency of any system or component;
 - (3) Enter any area or perform any procedure that may damage the property or its components or be dangerous to the home inspector or other persons;
 - (4) Operate any system or component that is shut down or otherwise inoperable;
 - (5) Operate any system or component that does not respond to normal operating controls;
 - (6) ~~Disturb insulation, move~~ Move personal items, panels, furniture, equipment, plant life, soil, snow, ice, or debris that obstructs access or visibility;
 - (7) Determine the presence or absence of any suspected adverse environmental condition or hazardous substance, including but not limited to toxins, carcinogens, noise, contaminants in the building or in soil, water, and air;
 - (8) Determine the effectiveness of any system installed to control or remove suspected hazardous substances;
 - (9) Predict future condition, including but not limited to failure of components;
 - (10) Project operating costs of components;
 - (11) Evaluate acoustical characteristics of any system or component; or
 - (12) Observe special equipment or accessories that are not listed as components to be observed in this Section.
- (c) Home inspectors shall not:
- (1) Offer or perform any act or service contrary to law; or
 - (2) Offer or perform engineering, architectural, plumbing, electrical or any other job function requiring an occupational license in the jurisdiction where the inspection is taking place, unless the home inspector holds a valid occupational license, in which case the home inspector shall inform the client that the home inspector is so licensed, and therefore qualified to go beyond this Section and perform additional inspections beyond those within the scope of the basic inspection.

Authority G.S. 143-151.49.

.1106 STRUCTURAL COMPONENTS

- (a) The home inspector shall observe structural components including:
- (1) Foundation;
 - (2) Floors;
 - (3) Walls;
 - (4) Columns or piers;
 - (5) Ceilings; and
 - (6) Roofs.
- (b) The home inspector shall describe the type of:
- (1) Foundation;
 - (2) Floor structure;
 - (3) Wall structure;
 - (4) Columns or piers;
 - (5) Ceiling structure; and
 - (6) Roof structure.
- (c) The home inspector shall:
- (1) Probe structural components where deterioration is suspected, ~~except where probing would damage any surface; suspected;~~
 - (2) Enter underfloor crawl spaces, basements, and attic spaces except when access is obstructed, when entry could damage the property, or when dangerous or adverse situations are suspected;
 - (3) Report the methods used to observe underfloor crawl spaces and attics; ~~and~~
 - (4) Report signs of abnormal or harmful water penetration into the building or signs of abnormal or harmful condensation on building components; ~~components; and~~
 - (5) Move and restore floor insulation to observe the floor system at all exterior doors and where any plumbing pipes pass through the floor.

Authority G.S. 143-151.49.

.1107 EXTERIOR

- (a) The home inspector shall observe;
- (1) Wall cladding, flashings, and trim;
 - (2) Entryway doors and a representative number or windows;
 - (3) Garage door operators;
 - (4) Decks, balconies, stoops, steps, areaways, porches and applicable railings;
 - (5) Eaves, soffits, and fascias; and
 - (6) Vegetation, grading, drainage, driveways, patios, walkways, and retaining walls with respect to their effect on the condition of the building.
- (b) The home inspector shall:
- (1) Describe wall cladding materials;
 - (2) Operate all entryway doors and a representative number of windows;
 - (3) Operate garage doors manually or by using permanently installed controls for any garage door operator; ~~and~~
 - (4) Report whether or not any garage door operator will automatically reverse or stop when meeting

reasonable resistance during closing; closing; and

- (5) Probe exterior wood components where deterioration is suspected.

(c) The home inspector is not required to observe;

- (1) Storm windows, storm doors, screening, shutters, awnings, and similar seasonal accessories;
- (2) Fences;
- (3) Presence of safety glazing in doors and windows;
- (4) Garage door operator remote control transmitters;
- (5) Geological conditions;
- (6) Soil conditions;
- (7) Recreational facilities (including spas, saunas, steam baths, swimming pools, tennis courts, playground equipment, and other exercise, entertainment, or athletic facilities);
- (8) Detached buildings or structures; or
- (9) Presence or condition of buried fuel storage tanks.

Authority G.S. 143-151.49.

.1116 CODE OF ETHICS

(a) Licensees shall discharge their duties with fidelity to the public, their clients, and with fairness and impartiality to all.

(b) Opinions expressed by licensees shall only be based on their education, experience, and honest convictions.

(c) A licensee shall not disclose any information about the results of an inspection without the approval of the client for whom the inspection was performed, or the client's designated representative.

(d) No licensee shall accept compensation or any other consideration from more than one interested party for the same service without the consent of all interested parties.

(e) No licensee shall accept or offer commissions or allowances, directly or indirectly, from other parties dealing with the client in connection with work for which the licensee is responsible.

(f) No licensee shall express, within the context of an inspection, an appraisal or opinion of the market value of the inspected property.

(g) Before the execution of a contract to perform a home inspection, a licensee shall disclose to the client any interest in a business that may affect the client. No licensee shall allow his or her interest in any business to affect the quality or results of the inspection work that the licensee may be called upon to perform. No licensee shall, for compensation or other consideration, perform any work on or improvement to any system or component that, according to a home inspection report made by that licensee, does not function as intended. This prohibition applies only during the 12-month period after the date that the home inspection report is submitted to the client.

(h) Licensees shall not engage in false or misleading advertising or otherwise misrepresent any matters to the public.

Authority G.S. 143-151.49.

TITLE 13 - DEPARTMENT OF LABOR

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Department of Labor, Occupational Safety & Health intends to repeal rule cited as 13 NCAC 07A .0401. Notice of Rule-making Proceedings was published in the Register on July 15, 1999.

Proposed Effective Date: August 1, 2000

Instructions on How to Demand a Public Hearing (must be requested in writing within 15 days of notice): Written requests for a public hearing on this proposed action must be directed to Ann B. Wall, N.C. Department of Labor, 4 W. Edenton St., Raleigh, NC 27601 on or before the close of business December 30, 1999.

Reason for Proposed Action: The North Carolina Department of Labor, Occupational Safety & Health is repealing the rules for the Carolina Star program in order to make it more flexible by expanding coverage through operational procedures.

Comment Procedures: Written comments will be accepted until January 14, 2000. Please direct all correspondence to Ann B. Wall, N.C. Department of Labor, 4 W. Edenton Street, Raleigh, NC 27601.

Fiscal Impact

State	Local	Sub.	None
			✓

CHAPTER 7 - OSHA

SUBCHAPTER 7A - GENERAL RULES AND OPERATIONAL PROCEDURES

SECTION .0400 - PROGRAMS

.0401 CAROLINA STAR PROGRAM

(a) Establishment. There is established, within the Division of Occupational Safety and Health, North Carolina Department of Labor, the Carolina Star Program for recognition and promotion of outstanding employer-provided, employee-participant, site-specific occupational safety and health systems.

(b) Participation. The program is established on the basis of voluntary participation by employers. Qualified employers will be put on a list of "recognized employers" who shall be exempt from programmed inspections contingent upon maintaining the requirements for participation and continued, favorable triennial evaluations. Minimal requirements for participation in this program are:

- (1) Employer management shall have comprehensive written programs which address the safety and health of all employees and which are integrated into the overall management system of the organization;
- (2) Employees must actively participate in safety and

health programs and problem identification and resolution;

(3) Non-construction applicants shall have:

(A) average injury incidence rates and average lost workday injury case rates for the most recent three calendar years for the site applied for at the time of approval at or below 50% of the most recent specific industry state average published by the North Carolina Department of Labor. Worksites with less than three years' experience shall be considered based on total experience, provided that such experience shall not be less than 12 months; and

(B) combined overall average injury incidence and lost workday case rates for the most recent three calendar years for all contractors' employees assigned to a site who worked a total of 500 or more hours in at least one calendar quarter at the worksite at or below 50% of the most recent specific industry state average published by the North Carolina Department of Labor. Worksites with less than three years' experience shall be considered based on total experience, provided that such experience shall not be less than 12 months;

(4) Construction applicants shall have average injury incidence and lost workday case rates for the most recent three calendar years at the site applied for at the time of approval at or below 50% of the most recent specific industry state average published by the North Carolina Department of Labor. The rates shall include hours worked and injuries or illnesses sustained by subcontractors at the site. Worksites with less than three years' experience shall be considered based on total experience, provided that such experience shall not be less than 12 months;

(5) Employer management shall have a system for the annual evaluation of the operation of the safety and health program to judge the success of the program in meeting stated goals and objectives;

(6) Application must be made to the Division of Occupational Safety and Health; and

(7) Verification, evaluation and approval of each prospective employer-applicant must be made by the Division of Occupational Safety and Health.

(c) Public Access. The following documents shall be maintained for public access in the Division of Occupational Safety and Health beginning on the day the program applicant is approved and continuing for as long as the applicant remains active within the program:

(1) Carolina Star Program application and amendments;

(2) pre-approval report and subsequent evaluation reports;

(3) transmittal memoranda to the Commissioner of Labor; and

(4) the Commissioner of Labor's approval letter.

(d) Evaluation. The Carolina Star Program participants shall

be re-evaluated every three calendar years to determine continued qualification for the program; to document results of program participants; and, to identify any problems that have the potential to adversely affect continued Carolina Star Program qualification.

(e) Termination and Reapplication.

(1) Termination of a Carolina Star designation by an employer shall occur:

(A) at construction sites upon completion of construction work at the site; or

(B) when said employer, for any reason, so resolves;

(2) Termination of a Carolina Star designation by the Division of Occupational Safety and Health shall occur at any time during the three year period if a significant failure to maintain the safety and health program in accordance with program requirements has been identified and there has been a failure to correct the situation.

(3) Reapplication following termination shall not be considered for a period of three years from the date of termination by the Division of Occupational Safety and Health.

(4) Reinstatement requires reapplication.

Authority G.S. 95-133.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Notice is hereby given in accordance with G.S. 150B-21.2 that the Sedimentation Control Commission intends to amend the rule cited as 15A NCAC 4B .0126. Notice of Rule-making Proceedings was published in the Register on October 1, 1999.

Proposed Effective Date: July 1, 2000

A Public Hearing will be conducted at 7:00 p.m. on December 30, 1999 at the Archdale Building, Ground Floor Hearing Room, 512 N. Salisbury Street, Raleigh, NC.

Reason for Proposed Action: The General Assembly during the 1999 session removed the one-third cap on the collection of review fees. This allowed the Sedimentation Control Commission to increase the review fee. The Commission determined that an increase in the fee was needed to provide additional resources for the Sediment Program. These additional resource needs were identified in the Commission's Plan of Action adopted on November 19, 1997.

Comment Procedures: Written comments may be submitted to: Mell Nevils, Section Chief, Division of Land Resources - Land Quality Section, 1612 Mail Service Center, Raleigh, NC 27699-1612, 919-733-4574, ext. 701. Comments will be accepted

through January 14, 2000.

Fiscal Impact

State	Local	Sub.	None
✓	✓		

CHAPTER 4 - SEDIMENTATION CONTROL

SUBCHAPTER 4B - EROSION AND SEDIMENT CONTROL

SECTION .0100 - GENERAL

.0126 PLAN APPROVAL FEE

(a) A nonrefundable plan review processing fee, in the amount stated in Paragraph (b) of this rule, shall be paid when an erosion and sedimentation control plan is filed in accordance with 15A NCAC 4B.0118.

- (1) Each plan shall be deemed incomplete until the plan review processing fee is paid.
- (2) The plan review processing fee shall be based on the first acre and each additional acre number of acres, or any part thereof of an acre, of disturbed land shown on the plan.
- (3) No plan review processing fee will be charged for review of a revised plan unless the revised plan contains an increase in the number of acres to be disturbed. If the revised plan contains an increase in the number of acres to be disturbed, the plan review processing fee to be charged shall be the amount stated in Paragraph (b) of this Rule for each additional acre (or any part thereof) or part of any additional acre disturbed.

(b) Schedule of Fees:

	Each Additional Acre
First Acre	(or any part thereof)
Disturbed—	Disturbed
\$30.00	\$20.00

The nonrefundable plan review processing fee shall be forty dollars (\$40.00) for each acre or part of any acre of disturbed land.

(c) Payment of the plan review processing fee shall be by check or money order made payable to the "N.C. Department of Environment, Health, Environment and Natural Resources". The payment shall refer to the erosion and sedimentation control plan.

(d) In order to comply with the limit on fees set forth in G.S. 113A-54.2(a), the Director shall, in the first half of each state fiscal year, project revenues for the fiscal year from fees collected pursuant to this Rule. If this projection shows that the statutory limit will be exceeded, the Director shall order a pro rata reduction in the fee schedule for the remainder of the fiscal year to avoid revenue collection in excess of the statutory limits.

Authority G.S. 113A-54; 113A-54.2.

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Wildlife Commission intends to amend the rule cited as 15A NCAC 10B .0403. Notice of Rule-making Proceedings was published in the Register on June 1, 1999.

Proposed Effective Date: July 1, 2000

A Public Hearing will be conducted at 10:00 a.m. on January 5, 2000 at the Archdale Building, Room 332, 512 N. Salisbury Street, Raleigh, NC 27603.

Reason for Proposed Action: To amend the application for fox tags to conform with changes in the fox rule (10B .0212).

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing. In addition, the record of hearing will be open for receipt of written comments from December 15, 1999 to January 15, 2000. Such written comments must be delivered or mailed to the NC Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

Fiscal Impact

State	Local	Sub.	None
			✓

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10B - HUNTING AND TRAPPING

SECTION .0400 - TAGGING FURS

.0403 APPLICATION FOR TAGS

(a) Fur tags shall be distributed in response to applications made on forms supplied by the Commission. Such application must show the name and address of the applicant and such other information as may be required in the discretion of the Executive Director.

(b) The Executive Director may, in his discretion, provide for the issuance of fur tags directly from the Commission headquarters or through authorized agents, or both.

(c) When fur tags are issued by agents such agents shall be entitled to retain 10 percent of the fee charged not to exceed a maximum of twenty cents (\$0.20) for each tag issued as compensation for their services. The fees to be charged for each fur tag are as follows:

Species	Fee
Bobcat	2.20
Otter	2.20

Fur tag agencies shall be instruments of public service, the function of which is to provide ready access to the required tags

by any hunter, trapper or fur dealer having need of them. No fur tag agent having appropriate fur tags on hand shall refuse to sell them to any applicant during such agent's regular business hours. No such agent shall impose any additional condition or requirement for his services as such or charge, either directly or indirectly, any price for a fur tag in excess of that specified in this Paragraph.

(d) ~~When an open season with harvest limitation for taking foxes with traps or weapons is established in accordance with G.S. 113-291.4, application for permits to participate must be made to the Commission on forms available from the Commission. If the number of applicants for an area of open fox season exceeds the maximum number authorized for the area, the successful applicants will be picked by random computer selection. If there are two or more areas of open fox season, a trapper or hunter will be authorized to purchase fox tags for use in only those areas which may be selected by him on his application in order of alternate preferences, and such fox tags shall not be valid for use on foxes taken in any other area. A fixed number or quota of fox tags will be reserved for purchase by each successful applicant, at the statutory fee provided in G.S. 113-291.4(g), until a specified date after which any quotas not purchased will be made available as additional quotas to other permit holders for the same area on the basis of one additional quota each, first come first served. The carcasses or pelts of foxes lawfully taken and lawfully tagged in an area of open fox season, and those taken under a depredation permit, and those taken under a local law that permits foxes to be sold may be sold; provided that this Paragraph shall not authorize the sale of carcasses or pelts of foxes taken under a depredation permit in any county in which the sale of foxes or parts thereof is prohibited by local law. Foxes must also be tagged in accordance with G.S. 113-291.4(g).~~

Authority G.S. 113-134; 113-273; 113-276.1; 113-291.4.

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Wildlife Resources Commission intends to amend the rules cited as 15A NCAC 10B .0116, .0119, .0203, .0209; 10C .0205-.0206, .0305, .0401-.0402, .0407, .0503; 10D .0102-.0104. Notice of Rule-making Proceedings was published in the Register on October 15, 1999.

Proposed Effective Date: July 1, 2000

A Public Hearing will be conducted at 7:00 p.m. on the following dates and designated locations:

District 9
January 18, 2000
Southwestern Community College
Sylva, NC

District 8

January 19, 2000
City of Morganton
Municipal Auditorium
Morganton, NC

District 7
January 20, 2000
Starmount High School
Boonville, NC

District 4
January 24, 2000
Courthouse
Elizabethtown, NC

District 5
January 25, 2000
Courthouse
Graham, NC

District 6
January 26, 2000
Central Davidson Middle School
Lexington, NC

District 1
January 31, 2000
Swain Auditorium
Edenton, NC

District 2
February 1, 2000
Courthouse
New Bern, NC

District 3
February 2, 2000
Courthouse
Nashville, NC

Reason for Proposed Action:

15A NCAC 10B .0116, .0119, .0203, .0209 - To set/amend hunting and trapping regulations necessary to manage and preserve the resource.

15A NCAC 10C .0205-.0206, .0305, .0401-.0402, .0407, .0503 - To set/amend inland fishing regulations necessary to manage and preserve the resource.

15A NCAC 10D .0102-.0104 - To set/amend game land regulations necessary to manage and preserve the resource.

Note: All text in bold was approved by the Rules Review Commission and is waiting the May 2000 session of the General Assembly.

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing. In addition, the

record of hearing will be open for receipt of written comments from December 15, 1999 to February 9, 2000. Such written comments must be delivered or mailed to the NC Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

Fiscal Impact

State	Local	Sub.	None
			✓

**CHAPTER 10 - WILDLIFE RESOURCES AND
WATER SAFETY**

SUBCHAPTER 10B - HUNTING AND TRAPPING

SECTION .0100 - GENERAL REGULATIONS

.0116 PERMITTED ARCHERY EQUIPMENT

(a) Only longbows, recurved bows, and compound bows having a minimum pull of 45 pounds may be used for taking game. It is unlawful to use a crossbow or any other type of bow equipped with any device by which the bow can be set at full or partial pull and released by a trigger or any similar mechanism without a disabled sportsman's crossbow hunting permit issued by the Executive Director.

(b) Only arrows with a fixed minimum broadhead width of seven-eighths of an inch ~~and that do not open mechanically upon impact~~ or a mechanically opening broadhead with a width of at least seven-eighths of an inch in the open position may be used for taking bear, deer, wild boar or wild turkey. Blunt-type arrow heads may be used in taking small animals and birds including, but not limited to, rabbits, squirrels, quail, grouse and pheasants. Poisonous, drugged, barbed, or explosive arrowheads may not be used for taking any game.

(c) Crossbows used under a disabled sportsman's crossbow permit shall have a minimum pull rated at least 150 pounds. Heads on bolts used with crossbows shall conform to those described for arrows in Paragraph (b) of this Rule.

Authority G.S. 113-134; 113-291.1(a).

.0119 WILDLIFE COLLECTORS

(a) Collection Licenses. The Executive Director is authorized to license qualified individuals to take or collect any species of wildlife resources except that endangered, threatened, special concern species; species and spotted turtles (*Clemmys guttata*) (*Clemmys guttata*), Eastern diamondback rattlesnakes, Carolina pygmy rattlesnakes, and Eastern coral snakes may not be taken or collected except under a special permit issued by the Executive Director for research purposes. This Rule shall not prohibit an individual from killing an endangered, threatened, or special concern species species, or an Eastern diamondback rattlesnake, Carolina pygmy rattlesnake, or Eastern coral snake in defense of his own life or the lives of others without a permit. Individuals who hold less than five reptiles or less than 25 amphibians not on the endangered, threatened or special concern

lists and not including spotted turtles (*Clemmys guttata*) (*Clemmys guttata*), Eastern diamondback rattlesnakes, Carolina pygmy rattlesnakes, and Eastern coral snakes are exempted from this license requirement. Such license shall be issued upon payment of a fee in accordance with the General Statutes, except that licenses may be issued to representatives of educational or scientific institutions or of governmental agencies without charge. Such license shall be used in lieu of any other hunting or trapping license required by law and shall authorize possession and transportation of the wildlife incidental to the authorized taking, except that it shall not authorize the taking, possession or transportation of any species of wildlife in violation of federal laws or regulations.

(b) Qualifications of Licensees. In addition to representatives of educational and scientific institutions and governmental agencies the collection license may be issued to any individual for any purpose when such is not deemed inimical to the efficient conservation of the species to be collected or to some other wildlife species that may be dependent thereon.

(c) Methods of Taking. The manner of taking wildlife resources under a collection license may be specified by the Executive Director pursuant to G.S. 113-272.4(d) and need not be restricted to the usual methods of hunting or trapping.

(d) Term of License. The Executive Director may, pursuant to G.S. 113-272.4(c), impose time limits and other restrictions on the duration of any collection license, but unless so restricted the license shall be valid from January 1 through December 31 of the applicable year.

(e) Report of Collecting Activity. Each individual licensed under this Rule shall submit a written report to the Executive Director within 15 days following the date of expiration of the license. The report shall be on a form supplied by the Wildlife Resources Commission and shall show the numbers of each species taken under the license and the use or disposition thereof. The Executive Director may require additional information for statistical purposes such as the dates and places of the taking and the sex, size, weight, condition, and approximate age of each specimen taken. Such additional information may be required on the form of report or by a separate writing accompanying the form.

(f) Other Requirements and Restrictions. The Executive Director may, pursuant to G.S. 113-272.4(d), impose such other requirements and restrictions on persons licensed under this Rule as he may deem to be necessary to the efficient administration of the wildlife conservation laws and regulations.

Authority G.S. 113-134; 113-272.4.

SECTION .0200 - HUNTING

.0203 DEER (WHITE-TAILED)

(a) Closed Season. All counties and parts of counties not listed under the open seasons in Paragraph (b) in this Rule shall be closed to deer hunting.

(b) Open Seasons (All Lawful Weapons):

(1) Deer With Visible Antlers. Deer with antlers or

spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, may be taken during the following seasons:

- (A) Monday on or nearest October 15 through January 1 in all of Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus*, Craven, Currituck, Dare, Duplin, Edgecombe, Franklin, Gates, Greene, Halifax, Hertford, Hoke, Hyde, Johnston, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Richmond**, Robeson, Sampson, Scotland**, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson counties, and the following parts of counties: Cumberland: All of the county except that part east of US 401, north of NC 24, and west of I-95; Harnett: That part west of NC 87; Moore**: All of the county except that part north of NC 211 and west of US 1; *Unlawful to hunt or kill deer in Lake Waccamaw or within 50 yards of its shoreline; **See 15A NCAC 10D .0103(f)(53)(B) .0103(f)(52)(B) for seasons on Sandhills Game Land;
- (B) Monday of Thanksgiving week through the second third Saturday after Thanksgiving Day and December 26 through January 1 (If December 26 falls on a Sunday, then the season will open on December 27) in all of Alexander, Alleghany, Ashe, Catawba, Cleveland, Davie, Forsyth, Gaston, Iredell, Lincoln, Rutherford, Stokes, Surry, Watauga, Wilkes, and Yadkin counties;
- (C) Monday of Thanksgiving week through the third Saturday after Thanksgiving Day in all of Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, ~~Cleveland~~, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, **Rutherford**, Swain, Transylvania, and Yancey counties;
- (D) Monday before Thanksgiving week through January 1 in all of Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg, Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union counties, and in the following parts of counties: Cumberland: That part east of US 401, north of NC 24 and west of I-95; Harnett: That part east of NC 87; Moore: That part north of NC 211 and west of US 1;
- (E) Monday on or nearest September 10 through January 1 in those parts of Camden, Gates and

Pasquotank counties known as the Dismal Swamp National Wildlife Refuge, in those parts of Hyde, Tyrrell and Washington counties known as the Pocosin Lakes National Wildlife Refuge, in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge, and in that part of Currituck County known as the Mackay Island National Wildlife ~~Refuge. Refuge;~~

- (F) **Monday of Thanksgiving week through the fifth Saturday after Thanksgiving Day in all of ~~Cleveland, Gaston, Lincoln, and Rutherford counties.~~**
- (2) Deer of Either Sex. Except on Game Lands, deer of either sex may be taken during the open seasons and in the counties and portions of counties listed in this Subparagraph (~~See 10D-.0003 (See 10D .0103~~ for either sex seasons on Game Lands):
 - (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service during the period from the Monday on or nearest September 10 through January 1 in those parts of Camden, Gates and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge, in those parts of Hyde, Tyrrell and Washington counties known as the Pocosin Lakes National **Wildlife Wildlife** Refuge, in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge, and in that part of Currituck County known as the Mackay Island National Wildlife Refuge.
 - (B) The open either-sex deer hunting dates established by the appropriate military commands during the period from Monday on or nearest October 15 through January 1 in that part of Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of Craven County known and marked as Cherry Point Marine Base, in that part of Onslow County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military Reservation, and on Camp Mackall Military Reservation.
 - (C) First Saturday in October for youth either sex deer hunting by permit only on a portion of Belews Creek Steam Station in Stokes County designated by agents of the Commission.
 - (D) The last open day of the Deer with Visible Antlers season described in Subparagraph (b)(1) of this Rule in all of Avery, Buncombe, Haywood, Henderson, Madison, Mitchell, Polk, Transylvania, and Yancey counties and the following parts of counties: ~~Avery: That part south of the Blue Ridge Parkway.~~

- Robeson: That part west of I-95.
 Scotland: That part south of US 74.
- (E) The last six open days of the Deer With Visible Antlers season described in Subparagraph (b)(1) of this Rule in all of Burke, Caldwell, Catawba, Gaston, Lincoln, McDowell, and Watauga and the following parts of counties:
 Camden: That part south of US 158.
 Dare: Except the Outer Banks north of Whalebone.
- (F) The first six open days and the last six open days of the Deer with Visible Antlers season described in Subparagraph (b)(1) of this Rule in all of Carteret, Cleveland, Harnett, Hoke, Pamlico, Richmond, Rutherford, counties and in the following parts of counties:
 Columbus: That part west of US 74, SR 1005, and SR 1125.
 Cumberland: That part west of I-95.
 Moore: All of the county except that part north of NC 211 and west of US 1.
 Robeson: That part east of I-95.
 Scotland: That part north of US 74.
- (G) The first six open days, open days the week of Thanksgiving, and the last six open days of the Deer with Visible Antlers season described in Subparagraph (b)(1) of this Rule in all of ~~Greene~~; Pasquotank, Tyrrell, Wayne and Wilson counties and in the following parts of counties:
 Camden: That part north of US 158.
 Chowan: That part north of US 17 and west of NC 32.
 Currituck: All of the county except the Outer Banks.
 Nash: That part south of ~~US 64~~; NC 97.
 Johnston: That part north of US 70 or west of I-95.
In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season in the counties listed in this part.
- (H) All the open days of the Deer With Visible Antlers season described in Subparagraph (b)(1) of this Rule in all of Alamance, Alexander, Alleghany, Anson, Ashe, Beaufort, Bertie, Bladen, Brunswick, Cabarrus, Caswell, Chatham, Craven, Davidson, Davie, Duplin, Durham, Edgecombe, Forsyth, Franklin, Gates, Granville, Greene, Guilford, Halifax, Hertford, Hyde, Iredell, Jones, Lee, Lenoir, Martin, Mecklenburg, Montgomery, New Hanover, Northampton, Onslow, Orange, Pamlico, Pender, Perquimans, Person, Pitt, Randolph, Rockingham, Rowan, Sampson, Stanly, Stokes, Surry, Union, Vance, Wake, Warren,

Washington, Wilkes and Yadkin counties, and in the following parts of counties:

Buncombe: ~~that That~~ part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of ~~SR 3503, NC 146 and SR 3501~~; NC 280.

Chowan: That part south of US 17 or east of NC 32.

Columbus: That part east of a line formed by US 74, SR 1005, and SR 1125.

Cumberland: ~~that That~~ part east of I-95.

Dare: That part of the Outer Banks north of Whalebone.

Henderson: That part east of NC 191 and north and west of NC 280.

Johnston: That part south of US 70 and east of I-95.

Moore: ~~that That~~ part north of NC 211 and west of US 1.

Nash: That part north of ~~US 64~~; NC 97.

(c) Open Seasons (Bow and Arrow):

- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow during the following seasons:

- (A) Monday on or nearest September 10 to the fourth Saturday thereafter in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (A) of Subparagraph (b)(1) of this Rule, except on the Sandhills Game Land and the area known as the Outer Banks in Currituck County.
- (B) Monday on or nearest September 10 to the second Saturday before Thanksgiving and the second Monday after Thanksgiving until December 19 (If December 19 falls on a Sunday, the season will close on December 18) in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (B) of Subparagraph (b)(1) of this Rule. **Rule and in Gaston and Lincoln counties:**
- (C) Monday on or nearest September 10 to the fourth Saturday thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (C) of Subparagraph (b)(1) of this Rule. **Rule and in Cleveland and Rutherford counties:**
- (D) Monday on or nearest September 10 to the third Saturday before Thanksgiving in the counties and parts of counties having the open season for Deer With Visible Antlers specified

by Part (D) of Subparagraph (b)(1) of this Rule, and on Sandhills Game Land.

(2) Restrictions:

- (A) Dogs may not be used for hunting deer during the bow and arrow season.
- (B) It is unlawful to carry any type of firearm while hunting with a bow during the bow and arrow deer hunting season.
- (C) Only bows and arrows of the types authorized in 15A NCAC 10B .0116 for taking deer may be used during the bow and arrow deer hunting season.

(d) Open Seasons (Muzzle-Loading Rifles and Shotguns):

- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be taken only with muzzle-loading firearms (except that bow and arrow may be used on designated and posted game land Archery Zones) during the following seasons:

- (A) Monday on or nearest October 8 to the following Saturday in **Cleveland—and Rutherford counties and in** the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Parts (A) and (C) of Subparagraph (b)(1) of this Rule, except on Sandhills Game Land and the area known as the Outer Banks in Currituck County.
- (B) Monday to Saturday of the week preceding Thanksgiving week and from December 20 through December 25 (If December 20 falls on a Sunday the season will open on December 21, if December 25 falls on a Sunday, the season will close on December 24) in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (B) of Subparagraph (b)(1) of this Rule. **Rule and in Gaston and Lincoln counties.**
- (C) Monday to Saturday of the second week before Thanksgiving week in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (D) of Subparagraph (b)(1) of this Rule, and on Sandhills Game Land.

(2) Restrictions:

- (A) Deer of either sex may be taken during muzzle-loading firearms season in and east of the following counties: Rutherford, McDowell, Burke, Caldwell, Wilkes, and Ashe. Deer of either sex may be taken on the last day of muzzle-loading firearms season in all other counties.
- (B) Dogs shall not be used for hunting deer during the muzzle-loading firearms seasons.
- (C) Pistols shall not be carried while hunting deer

during the muzzle-loading firearms seasons.

(e) ~~The In those counties listed in part (A) of Subparagraph (b)(1) of this Rule the daily bag limit shall be two and the possession limit six, two of which shall be antlerless. The season limit shall be six, two of which shall be antlerless. In all other counties, the daily bag limit shall be two and the possession limit six, four of which shall be antlerless. The season limit shall be six, four of which shall be antlerless.~~ Antlerless deer include males with knobs or buttons covered by skin or velvet as distinguished from spikes protruding through the skin. The antlerless bag limits described above do not apply to antlerless deer harvested in areas covered in the Deer Management Assistance Program as described in G.S. 113-291.2(e). Individual daily antlerless bag limits on these areas shall be determined by the number of special tags, issued by the Division of Wildlife Management as authorized by the Executive Director, that shall be in the possession of the hunter. Season antlerless bag limits shall be set by the number of tags available. All antlerless deer harvested on these areas, regardless of the date of harvest, shall be tagged with these special tags but **do not have to be tagged with Big Game Tags the hunter does not have to validate the Big Game Harvest Report Card** provided with the hunting license.

(f) Kill Reports. **The carcass of each deer shall be tagged. The kill shall be validated at the site of kill** and the kill reported as provided by 15A NCAC 10B .0113.

Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2.

.0209 WILD TURKEY (BEARDED TURKEYS ONLY)

(a) Open Season for wild turkey shall be from the: Second Saturday in April to Saturday of the fourth week thereafter on bearded turkeys in the following counties: Alamance, Alexander, Alleghany, **Anson**, Ashe, Avery, ****Bladen**, Buncombe, Burke, Caldwell, Caswell, Catawba, ****Chatham**, Cherokee, **Chowan**, Clay, Cleveland, **Craven**, Davie, **Duplin**, ****Durham**, Edgecombe, Forsyth, **Franklin**, **Gaston**, Gates, Graham, ****Granville**, Halifax, Harnett, Haywood, Henderson, Hertford, Jackson, Jones, Lee, **Lenoir**, Lincoln, Macon, Madison, McDowell, Mitchell, Montgomery, **Moore**, Northampton, Onslow, ****Orange**, Person, Polk, ****Richmond**, Rockingham, Rutherford, ****Scotland**, Stokes, Surry, Swain, Transylvania, Vance, **Wake**, **Washington**, Warren, Watauga, Wilkes, Yadkin, Yancey and in the following portions of counties:

Anson: That part east of US 52 and north of US 74 and that part east of NC 145 and south of US 74.

Beaufort: That part south of the Pamlico River and east of US 17.

****Bertie: All of the county except that part bounded on the west by NC 11, on the south by NC 308, on the east by NC 45, and on the north by NC 42 and the Hertford County line. south of NC 42, west of NC 45, north of NC 308, and east of us 13.**

Brunswick: That part west of NC 211 and that part east of NC 87.

Cabarrus: That part south of I-85, east of US 601 Business, and north of NC 49.

Camden: That part west of US 17.

Carteret: That part west of US 70 and north of NC 24.

Chowan: That part south of US 17

Columbus: That part north of NC 87 and that part east of NC 905 and south of NC 130.

Craven: All of the county except that part west of US 17 and north of NC 118.

Cumberland: That part west of NC 53 or I-95.

Currituck: That part north of US 158 and west of the Intracoastal Waterway.

Davidson: That part south of I-85.

Franklin: All of the county except that part north of the Tar River and west of US 401.

Guilford: That part north of I-40.

Hoke: That part south and west of NC 211 and that part known as Fort Bragg.

Hyde: Starting at the Tyrrell County line, that part west of a line formed by NC 94, US 264 West, SR1124 to Judges Quarter then Quarter Canal to Juniper Bay.

Iredell: That part north of US 70.

Johnston: That part east of I-95.

****Martin:** All of the county except that part west of US 17 and south of US 64.

****Moore:** That part south of NC 211, that part north of NC 24/27, and that part known as Fort Bragg.

Nash: All of the county except that part east of NC 581 and south of US 64.

New Hanover: Starting at the Brunswick County line, that part north and west of a line formed by NC-133 and SR 1002.

Pamlico: That part west of NC 306.

****Pender:** All of the county except that part west of I-40, north of NC 53, and east of US 421.

Perquimans: That part west of the Perquimans River and south of SR 1110 and US 17 Business. All of the county except that part south of US 17 and east of the Perquimans River.

Randolph: That part west of US 220, ~~220~~ and north of US 64 and that part west of US 220 and south of NC 49.

Robeson: That part east of I-95 and north of US 74.

Rowan: That part southeast of I-85.

Sampson: All of the county except that part east of NC 242, south of NC 411, and west of US 701.

Stanly: That part east of a line formed by US 52 from the Cabarrus County line to NC 138 in Albemarle, NC 138 from Albemarle to NC 742 in Oakboro, and NC 742 from Oakboro to the Union County line.

Union: That part south of US 74, NC 74 and west of

NC 207

****Wake:** That part north of I-40.

Wayne: That part south of US-70, US-70 and east of US-117 and that part south of SR-1007 and north of SR-1008.

****The Sandhills Game Land in Richmond, Scotland, and Moore Counties; counties, the Bladen Lakes State Forest Game Lands in Bladen County, the Northeast Cape Fear Wetlands Game Lands in Pender County, the Jordan Game Land in Chatham, Durham, Orange, and Wake Counties; and counties, the Butner-Falls of the Neuse Game Land in Durham, Granville, and Wake Counties; counties, and the Roanoke River Wetlands in Bertie, Halifax, and Martin Counties counties, and the Shearon-Harris Game Land in Chatham and Wake counties are closed to turkey hunting except by holders of special permits authorizing turkey hunting as provided in G.S. 113-264(d).**

(b) Bag Limits shall be:

- (1) daily, one;
- (2) possession, two;
- (3) season, two.

(c) Dogs Prohibited. It is unlawful to use dogs for hunting turkeys.

(d) Kill Reports. The kill shall be validated at the site of kill The carcass of each wild turkey shall be tagged and the kill reported as provided by 15A NCAC 10B .0113.

Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.2.

SUBCHAPTER 10C - INLAND FISHING REGULATIONS

SECTION .0200 - GENERAL REGULATIONS

.0205 PUBLIC MOUNTAIN TROUT WATERS

(a) Designation of Public Mountain Trout Waters. The waters listed herein or in 15A NCAC 10D ~~.0004~~ .0104 are designated as Public Mountain Trout Waters and further classified as Wild Trout Waters or Hatchery Supported Waters. For specific classifications, see Subparagraphs (1) through (6) of this Paragraph. These waters are posted and lists thereof are filed with the clerks of superior court of the counties in which they are located:

- (1) Hatchery Supported Trout Waters. The listed waters in the counties in Subparagraphs (1)(A)-(Y) are classified as Hatchery Supported Public Mountain Trout Waters. Where specific watercourses or impoundments are listed, indentation indicates that the watercourse or impoundment listed is tributary to the next preceding watercourse or impoundment listed and not so indented. This classification applies to the entire watercourse or impoundment listed except as otherwise indicated in parentheses following the listing. Other clarifying information may also be

included parenthetically. The tributaries of listed watercourses or impoundments are not included in the classification unless specifically set out therein. Otherwise, Wild Trout regulations apply to the tributaries.

(A) Alleghany County:

New River (not trout water)

Little River (Whitehead to McCann Dam)

Crab Creek

Brush Creek (except where posted against trespass)

Big Pine Creek

Laurel Branch

Big Glade Creek

Bledsoe Creek

Pine Swamp Creek

South Fork New River (not trout water)

Prather Creek

Cranberry Creek

Piney Fork

Meadow Fork

Yadkin River (not trout water)

Roaring River (not trout water)

East Prong Roaring River (that portion on Stone Mountain State Park) Delayed Harvest Waters regulations apply. See Subparagraph (5) of Paragraph (a) of this Rule.

(B) Ashe County:

New River (not trout waters)

North Fork New River (Watauga Co. line to Sharp Dam)

Helton Creek (Virginia State line to New River) [Delayed Harvest rules apply. See Subparagraph (5) of Paragraph (a) of this Rule.]

Big Horse Creek (SR 1361 bridge to Tuckerdale)

Buffalo Creek (headwaters to junction of NC 194-88 and SR 1131)

Big Laurel Creek

Three Top Creek (portion not on game lands)

Hoskins Fork (Watauga County line to North Fork New River)

South Fork New River (not trout waters)

Cranberry Creek (Alleghany County line to South Fork New River)

Nathans Creek

Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)

Trout Lake (Delayed harvest regulations apply. See Subparagraph (5) of Paragraph (a) of this Rule.)

Roan Creek

North Beaver Creek

Pine Swamp Creek (all forks)

Old Fields Creek

Mill Creek (except where posted against trespass)

(C) Avery County:

Nolichucky River (not trout waters)

North Toe River (headwaters to Mitchell County line, except where posted against trespass)

Squirrel Creek

Elk River (SR 1306 crossing to Tennessee State line, including portions of tributaries on game lands)

Catawba River (not trout water)

Johns River (not trout water)

Wilson Creek [not Hatchery Supported trout water, see Subparagraph (2) of Paragraph (a) of this Rule]

Lost Cove Creek [not Hatchery Supported trout water, see Subparagraph (4) of Paragraph (a) of this Rule]

Buck Timber Creek [not Hatchery Supported trout water, see Subparagraph (2) of Paragraph (a) of this Rule]

Cary Flat Branch [not Hatchery Supported trout water, see Subparagraph (2) of Paragraph (a) of this Rule]

Boyde Coffey Lake

Archie Coffey Lake

Linville River [Land Harbor line (below dam) to Blue Ridge Parkway boundary line, except where posted against trespass]

Milltimber Creek

(D) Buncombe County:

French Broad River (not trout water)

Big Ivy Creek (Ivy River) (Dillingham Creek to US 19-23 bridge)

Dillingham Creek (Corner Rock Creek to Big Ivy Creek)

Stony Creek

Mineral Creek (including portions of tributaries on game lands)

Corner Rock Creek (including tributaries, except Walker Branch)

Reems Creek (Sugar Camp Fork to US 19-23 bridge, except where posted against trespass)

Swannanoa River (SR 2702 bridge near Ridgecrest to Sayles Bleachery in Asheville, except where posted against trespass)

Bent Creek (headwaters to N.C. Arboretum boundary line, including portions of tributaries on game lands)

Lake Powhatan

Cane Creek (headwaters to SR 3138 bridge)

(E) Burke County:

Catawba River (not trout water)

South Fork Catawba River (not trout water)

Henry Fork (lower South Mountains State

- Park line downstream to SR 1919 at Ivy Creek)
- Jacob Fork (Shinny Creek to lower South Mountain State Park boundary)
- Delayed Harvest
- Regulations apply. See Subparagraph (a)(5) of this Rule.
- Johns River (not trout water)
- Parks Creek (portion not on game lands not trout water)
- Carroll Creek (game lands portion above SR 1405 including tributaries)
- Linville River (game lands portion below the Blue Ridge Parkway including portions of tributaries on game lands and from first bridge on SR 1223 below Lake James powerhouse to Muddy Creek)
- (F) Caldwell County:
 - Catawba River (not trout water)
 - Johns River (not trout water)
 - Wilson Creek (Phillips Branch to Browns Mountain Beach dam, except where posted against trespass)
 - Estes Mill Creek (not trout water)
 - Thorps Creek (falls to NC 90 bridge)
 - Mulberry Creek (portion not on game lands not trout water)
 - Boone Fork (not Hatchery Supported trout water. See Subparagraph (2) of Paragraph (a) of this Rule)
 - Boone Fork Pond
- (G) Cherokee County:
 - Hiwassee River (not trout water)
 - Shuler Creek (headwaters to Tennessee line, except where posted against trespass including portions of tributaries on game lands)
 - North Shoal Creek (Crane Creek) (headwaters to SR 1325, including portions of tributaries on game lands)
 - Persimmon Creek
 - Davis Creek (including portions of tributaries on game lands)
 - Bald Creek (including portions of tributaries on game lands)
 - Beaver Dam Creek (headwaters to SR 1326 bridge, including portions of tributaries on game lands)
 - Valley River
 - Hyatt Creek (including portions of tributaries on game lands)
 - Webb Creek (including portions of tributaries on game lands)
 - Junaluska Creek (Ashturn Creek to Valley River, including portions of tributaries on game lands)
- (H) Clay County:
 - Hiwassee River (not trout water)
 - Fires Creek (first bridge above the lower game land line on US Forest Service road 442 to SR 1300)
 - Tusquitee Creek (headwaters to lower SR 1300 bridge, including portions of Bluff Branch on game lands)
 - Tuni Creek (including portions of tributaries on game lands)
 - Chatuge Lake (not trout water)
 - Shooting Creek (SR 1349 bridge to US 64 bridge at SR 1338)
 - Hothouse Branch (including portions of tributaries on gamelands)
 - Vineyard Creek (including portions of tributaries on game lands)
- (I) Graham County:
 - Little Tennessee River (not trout water)
 - Calderwood Reservoir (Cheoah Dam to Tennessee State line)
 - Cheoah River (not trout water)
 - Yellow Creek
 - Santeelah Reservoir (not trout water)
 - West Buffalo Creek
 - Huffman Creek (Little Buffalo Creek)
 - Santeelah Creek (Johns Branch to mouth including portions of tributaries within this section located on game lands, excluding Johns Branch)
 - Big (Big) Snowbird Creek (old railroad junction to mouth, including portions of tributaries on game lands) Delayed Harvest regulations apply to the portion, including tributaries, from the old railroad junction to the game lands boundary at Polecat Branch.
 - Mountain Creek (game lands boundary to SR 1138 bridge)
 - Long Creek (portion not on game lands)
 - Tulula Creek (headwaters to lower bridge on SR 1275)
 - Franks Creek
 - Cheoah Reservoir
 - Fontana Reservoir (not trout water)
 - Stecoah Creek
 - Sawyer Creek
 - Panther Creek (including portions of tributaries on game lands)
- (J) Haywood County:
 - Pigeon River (not trout water)
 - Hurricane Creek (including portions of tributaries on game lands)
 - Cold Springs Creek (including portions of tributaries on game lands)
 - Jonathans Creek - lower (concrete bridge in Dellwood to Pigeon River)

Jonathans Creek - upper [SR 1302 bridge (west) to SR 1307 bridge]

Hemphill Creek

West Fork Pigeon River (triple arch bridge on highway NC 215 to Champion International property line, including portions of tributaries within this section located on game lands, except Middle Prong)

Richland Creek (Russ Avenue bridge to US 19A-23 bridge) Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.

(K) Henderson County:

(Rocky) Broad River (one-half mile north of Bat Cave to Rutherford County line)

Green River - upper (mouth of Bobs Creek to mouth of Rock Creek)

Green River - lower (Lake Summit Dam to **Polk County line I-26 bridge**)

Camp Creek (SR 1919 to Polk County line)

(Big) Hungry River

Little Hungry River

French Broad River (not trout water)

Mills River (not trout water)

North Fork Mills River (game lands portion below the Hendersonville watershed dam).

Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.

(L) Jackson County:

Tuckasegee River (confluence with West Fork Tuckasegee River to SR 1392 bridge at Wilnot) Delayed Harvest Regulations apply to that portion between NC 107 bridge at Love Field and **NC 116 bridge at Webster the Dillsboro dam**. See Subparagraph (a)(5) of this Rule.

Scott Creek (entire stream, except where posted against trespass)

Dark Ridge Creek (Jones Creek to Scotts Creek)

Buff Creek (SR 1457 bridge below Bill Johnson's place to Scott Creek)

Savannah Creek (Headwaters to Bradley's Packing House on NC 116)

Greens Creek (Greens Creek Baptist Church on SR 1730 to Savannah Creek)

Cullowhee Creek (Tilley Creek to Tuckasegee River)

Bear Creek Lake

Wolf Creek [not Hatchery Supported trout water, see Subparagraph (2) of Paragraph (a) of this Rule]

Wolf Creek Lake

Balsam Lake

Tanasee Creek [not Hatchery Supported trout water, see Subparagraph (2) of Paragraph (a)

of this Rule]

Tanasee Creek Lake

West Fork Tuckasegee River (Shoal Creek to existing water level of Little Glenville Lake)

Shoal Creek (Glenville Reservoir pipeline to mouth)

(M) Macon County:

Little Tennessee River (not trout water)

Nantahala River (Nantahala Dam to Swain County line) Delayed Harvest Regulations apply to the portion from Whiteoak Creek to the Nantahala Power and Light powerhouse discharge canal. See Subparagraph (a)(5) of this Rule.

Queens Creek Lake

Burningtown Creek (including portions of tributaries on game lands)

Cullasaja River (Sequoah Dam to US 64 bridge near junction of SR 1672, including portions of tributaries on game lands, excluding those portions of Big Buck Creek and Turtle Pond Creek on game lands. Wild trout regulations apply. See Subparagraphs (2) and (6) of Paragraph (a) of this Rule.)

Ellijay Creek (except where posted against trespass, including portions of tributaries on game lands)

Skitty Creek

Cliffside Lake

Cartoogechaye Creek (US 64 bridge to Little Tennessee River)

Tessentee Creek (Nichols Branch to Little Tennessee River, except where posted against trespassing)

Savannah River (not trout water)

Big Creek (base of falls to Georgia State line, including portions of tributaries within this Section located on game lands)

(N) Madison County:

French Broad River (not trout water)

Shut-In Creek (including portions of tributaries on game lands)

Spring Creek (junction of NC 209 and NC 63 to lower US Forest Service boundary line, including portions of tributaries on game lands)

Meadow Fork Creek

Roaring Fork (including portions of tributaries on game lands)

Little Creek

Max Patch Pond

Mill Ridge Pond

Big Laurel Creek (Mars Hill Watershed boundary to Rice's Mill Dam)

Big Laurel Creek (NC 208 bridge to US 25-70 bridge) Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.

Shelton Laurel Creek (headwaters to NC 208 bridge)

Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek) Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.

Big Creek (headwaters to lower game land boundary, including tributaries)

Mill Creek

Big Pine Creek

Puncheon Fork (Hampton Creek to Big Laurel Creek)

(O) McDowell County:

Catawba River (portion not on game lands, not trout water)

Buck Creek (portion not on game lands, not trout water)

Little Buck Creek (game land portion including portions of tributaries on game lands)

~~Curtis Creek (Newberry Creek to US 70 bridge) game lands portion downstream of US Forest Service boundary at Deep Branch)~~ **Delayed Harvest regulations apply. See Subparagraph (a)(5) of this Rule.**

North Fork Catawba River (headwaters to SR 1569 bridge)

Armstrong Creek (Cato Holler line downstream to upper Greenlee line)

Mill Creek (upper railroad bridge to U.S. 70 Bridge, except where posted against trespass)

(P) Mitchell County:

Nolichucky River (not trout water)

Big Rock Creek (headwaters to NC 226 bridge at SR 1307 intersection)

Little Rock Creek (Green Creek Bridge to Big Rock Creek, except where posted against trespass)

~~Cane Creek (SR 1219 to Nolichucky river) NC 226 bridge)~~

Cane Creek (NC 226 bridge to NC 80 bridge) Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.

Grassy Creek (East Fork Grassy Creek to mouth)

East Fork Grassy Creek

North Toe River (Avery County line to SR 1121 bridge)

(Q) Polk County:

Broad River (not trout water)

North Pacolet River (Pacolet Falls to NC 108 bridge)

Fork Creek (Fork Creek Church on SR 1100 to North Pacolet River)

Big Fall Creek (portion above and below

water supply reservoir)

~~Green River (Henderson County line (Fishtop Falls Access Area to mouth of Brights Creek) Delayed Harvest regulations apply to the portion from Fishtop Falls Access Area to Cove Creek. See subparagraph (a)(5) of this Rule.~~

Little Cove Creek (including portions of tributaries on game lands)

Cove Creek (including portions of tributaries on game lands)

Camp Creek [Henderson County line (top of falls) to Green River]

~~Fulloms Creek (SR 1154 to Green River, including portions of tributaries on game lands)~~

(R) Rutherford County:

(Rocky) Broad River (Henderson County line to US 64/74 bridge, except where posted against trespass)

(S) Stokes County:

Dan River (SR 1416 bridge downstream to a point 200 yards below the end of SR 1421)

(T) Surry County:

Yadkin River (not trout water)

Ararat River (SR 1727 downstream to the Business US 52 bridge) Delayed Harvest regulations apply. See Subparagraph (5) of Paragraph (a) of this Rule.

Stewarts Creek (not trout water)

Pauls Creek (Virginia State line to 0.3 mile below SR 1625 bridge - lower Caudle property line)

Fisher River (Cooper Creek) (Virginia State line to NC 89 bridge)

Little Fisher River (Virginia State line to NC 89 bridge)

Mitchell River (0.6 mile upstream of the end of SR 1333 to Kapps Mill Dam) Delayed Harvest Regulations apply. See Subparagraph (5) of Paragraph (a) of this Rule.

(U) Swain County:

Little Tennessee River (not trout water)

Calderwood Reservoir (Cheoah Dam to Tennessee State line)

Cheoah Reservoir

Fontana Reservoir (not trout water)

Alarka Creek (game lands boundary to Fontana Reservoir)

Nantahala River (Macon County line to existing Fontana Reservoir water level)

Tuckasegee River (not trout water)

Deep Creek (Great Smoky Mountains National Park boundary line to Tuckasegee River)

- Connelly Creek (including portions of tributaries on game lands)
- (V) Transylvania County:
- French Broad River (junction of west and north forks to US 276 bridge)
 - Davidson River (Avery Creek to Ecusta intake)
 - East Fork French Broad River (Gladly Fork to French Broad River)
 - Middle Fork French Broad River
 - West Fork French Broad River (SR 1312 and SR 1309 intersection to junction of west and north forks, including portions of tributaries within this section located on game lands)
- (W) Watauga County:
- New River (not trout waters)
 - North Fork New River (from confluence with Maine and Mine branches to Ashe County line)
 - Maine Branch (headwaters to North Fork New River)
 - South Fork New River (not trout water)
 - Meat Camp Creek
 - Norris Fork Creek
 - Howards Creek (downstream from lower falls)
 - Middle Fork New River (Lake Chetola Dam to South Fork New River)
 - Yadkin River (not trout water)
 - Stony Fork (headwaters to Wilkes County line)
 - Elk Creek (headwaters to gravel pit on SR 1508, except where posted against trespass)
 - Watauga River (**SR 1559 at Foscoe downstream to NC 105 bridge**) (**Confluence of Boone Fork and Watauga River to NC 105 bridge**) Delayed Harvest Regulations apply. See Subparagraph (5) of Paragraph (a) of this Rule.
 - Beech Creek
 - Buckeye Creek Reservoir
 - Coffee Lake
 - Laurel Creek
 - Cove Creek (SR 1233 bridge at Zionville to SR 1233 bridge at Amantha)
 - Dutch Creek (second bridge on SR 1134 to mouth)
 - Boone Fork (headwaters to SR 1562)
- (X) Wilkes County:
- Yadkin River (not trout water)
 - Roaring River (not trout water)
 - East Prong Roaring River (Bullhead Creek to Brewer's Mill on SR 1943) (Delayed harvest regulations apply to portion on Stone Mountain State Park) See Subparagraph (5) of Paragraph (a) of this Rule.
 - Stone Mountain Creek (Delayed Harvest Regulations apply. See Subparagraph (5) of Paragraph (a) of this Rule.)
- Middle Prong Roaring River (headwaters to second bridge on SR 1736)
- Bell Branch Pond
 - Boundary Line Pond
 - West Prong Roaring River (not trout waters)
 - Pike Creek
 - Pike Creek Pond
 - Reddies River (not trout water)
 - Middle Fork Reddies River (Clear Prong) (headwaters to bridge on SR 1580)
 - South Fork Reddies River (headwaters to confluence with Middle Fork Reddies River)
 - North Fork Reddies River (Vannoy Creek) (headwaters to Union School bridge on SR 1559)
 - Darnell Creek (North Prong Reddies River) (downstream ford on SR 1569 to confluence with North Fork Reddies River)
 - Lewis Fork Creek (not trout water)
 - South Prong Lewis Fork (headwaters to Lewis Fork Baptist Church)
 - Fall Creek (except portions posted against trespass)
- (Y) Yancey County:
- Nolichucky River (not trout water)
 - Cane River [Bee Branch (SR 1110) to Bowlens Creek]
 - Bald Mountain Creek (except portions posted against trespass)
 - Indian Creek (not trout water)
 - Price Creek (junction of SR 1120 and SR 1121 to Indian Creek)
 - North Toe River (not trout water)
 - South Toe River (Clear Creek to lower boundary line of Yancey County recreation park except where posted against trespass)
- (2) Wild Trout Waters. All waters designated as Public Mountain Trout Waters on the game lands listed in Subparagraph (b)(2) of 15A NCAC 10D ~~.0004~~ **.0104**, are classified as Wild Trout Waters unless specifically classified otherwise in (A)(1) of this Rule. The trout waters listed in this Subparagraph are also classified as Wild Trout Waters.
- (A) Alleghany County:
- Big Sandy Creek (portion on Stone Mountain State Park)
 - Ramey Creek (entire stream)
 - Stone Mountain Creek (that portion on Stone Mountain State Park)
- (B) Ashe County:
- Big Horse Creek (Virginia State Line to SR 1361 bridge) Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.
- Unnamed tributary of Three Top Creek**

(portion located on Three Top Mountain Game Land) Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.

(C) Avery County:

Birchfield Creek (entire stream)
Cow Camp Creek (entire stream)
Cranberry Creek (entire stream)
Gragg Prong (entire stream)
Horse Creek (entire stream)
Jones Creek (entire stream)
Kentucky Creek (entire stream)
North Harper Creek (entire stream)
Plumtree Creek (entire stream)
Roaring Creek (entire stream)
Rockhouse Creek (entire stream)
South Harper Creek (entire stream)
Webb Prong (entire stream)

~~Wilson Creek (Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.)~~

(D) Buncombe County:

Carter Creek (game land portion) (Catch and Release/Artificial Lures only regulations apply. See Subparagraph (3) of Paragraph (a) of this Rule.)

(E) Burke County:

All waters located on South Mountain State Park, except the main stream of Jacob Fork between the mouth of Shinny Creek and the lower park boundary where delayed harvest regulations, and Henry Fork and tributaries where catch and release/artificial lures only regulations apply. See Subparagraphs (3) and (5) of Paragraph (a) of this Rule.

Nettle Branch (game land portion)

(F) Caldwell County:

Buffalo Creek (Watauga County line to Long Ridge Branch)
Joel Creek (Watauga County line to first falls upstream of the end of SR 1574)
Rockhouse Creek (entire stream)

(G) Cleveland County: Brier Creek and tributaries (game lands portions)

(H) (G) Graham County:

South Fork Squally Creek (entire stream)
Squally Creek (entire stream)

(I) (H) **Henderson County:**

Green River (1-26 bridge to Henderson/Polk County line)

(J) (I) Jackson County:

Gage Creek (entire stream)
North Fork Scott Creek (entire stream)
Tanasee Creek (entire stream)
Whitewater River (downstream from Silver Run Creek to South Carolina State line)

Wolf Creek (entire stream, except Balsam Lake and Wolf Creek Lake)

(K) (J) Madison County:

Spillcorn Creek (entire stream) [Wild Trout/Natural Bait Waters regulations apply. See Subparagraph (6) of Paragraph (a) of this Rule.]

(L) (K) Mitchell County:

Green Creek (headwaters to Green Creek Bridge, except where posted against trespass)
Little Rock Creek (headwaters to Green Creek Bridge, including all tributaries, except where posted against trespass)
Wiles Creek (game land boundary to mouth)

(M) (L) **Polk county**

Green River (Henderson County line to Fishtop Falls Access Area)

Pulliam (Fulloms) Creek and tributaries (game lands portions)

(N) Rutherford County:

North Fork (First Broad River) and tributaries (game lands portion)

Brier Creek and tributaries (game lands portion)

(O) (M) Transylvania County:

Whitewater River (downstream from Silver Run Creek to South Carolina State line)

All waters located on Gorges State Park

(P) (N) Watauga County:

Boone Fork (Blue Ridge Parkway boundary line to Watauga River) (Catch and Release Fly-Fishing Only regulations apply. See Subparagraph (4) of Paragraph (a) of this Rule.)

~~Dutch Creek (headwaters to second bridge on SR-1134)~~

Dutch Creek (headwaters to second bridge on SR 1134)

~~Howards Creek (headwaters to lower falls)~~

Howards Creek (headwaters to lower falls)

Watauga River (Avery County line to SR 1580)

(Q) (O) Wilkes County:

Big Sandy Creek (portion on Stone Mountain State Park)

Garden Creek (portion on Stone Mountain State Park)

Harris Creek and tributaries [portions on Stone Mountain State Park] [Catch and Release Artificial Lures Only regulations apply. See Subparagraph (4) of Paragraph (a) of this Rule.]

Widow Creek (portion on Stone Mountain State Park)

(R) (P) Yancey County:

Licksillet Creek (entire stream)

Middle Creek (game land boundary to mouth)

- Rock Creek (game land boundary to mouth)
South Toe River (game land boundary downstream to Clear Creek)
- (3) Catch and Release/Artificial Lures Only Trout Waters. Those portions of designated wild trout waters as listed in this Subparagraph, including tributaries except as noted, are further classified as Catch and Release/Artificial Lures Only waters. Only artificial lures having one single hook may be used. No fish may be harvested or be in possession while fishing these streams:
- (A) Ashe County:
Big Horse Creek (Virginia State line to SR 1361 bridge excluding tributaries)
Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game Lands)
- (B) Avery County:
Wilson Creek (game land portion)
- (B) (C) Buncombe County:
Carter Creek (game land portion)
- (C) (D) Burke County:
Henry Fork (portion on South Mountains State Park)
- (D) (E) Jackson County:
Flat Creek
Tuckasegee River (upstream of Clarke property)
- (E) (F) McDowell County:
Newberry Creek (game land portion)
- (F) (G) Wilkes County:
Harris Creek (portion on Stone Mountain State Park)
- (G) (H) Yancey County:
Lower Creek
Upper Creek
- (4) Catch and Release/Artificial Flies Only Trout Waters. Those portions of designated wild trout waters as listed in this Subparagraph, including tributaries except as noted, are further classified as Catch and Release/Fly Fishing Only waters. Only artificial flies having one single hook may be used. No fish may be harvested or be in possession while fishing these streams:
- (A) Avery County:
Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)
- (B) Transylvania County:
Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek and Grogan Creek)
- (C) Watauga County:
~~Boone Fork (portion between Blue Ridge Parkway boundary and the Watauga River)~~
- (C) Yancey County:
South Toe River (portion from the concrete bridge above Black Mountain Campgroup downstream to game land boundary, excluding Camp Creek and Big Lost Cove Creek)
- (5) Delayed Harvest Trout Waters. Those portions of designated Hatchery Supported Trout Waters as listed in this Subparagraph, excluding tributaries except as noted, are further classified as Delayed Harvest Waters. Between 1 October and one-half hour after sunset on the Friday before the first Saturday of the following June, inclusive, it is unlawful to possess natural bait and only artificial lures with one single hook may be used. No fish may be harvested or be in possession while fishing these streams during this time. These waters are closed to fishing between one-half hour after sunset on the Friday before the first Saturday in June and 6:00 a.m. on the first Saturday in June. At 6:00 a.m. on the first Saturday in June these streams open for fishing under Hatchery Supported Waters rules:
- (A) Ashe County:
Trout Lake
Helton Creek (Virginia state line to New River)
- (B) Burke County:
Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)
- (C) Graham County:
(Big) Snowbird Creek and tributaries (Old railroad junction to the game lands boundary at Polecat Branch)
- (D) (E) Haywood County:
Richland Creek (Russ Avenue bridge to US 19A-23 bridge)
- (E) (F) Henderson County:
North Fork Mills River (game land portion below the Hendersonville watershed dam)
- (F) (G) Jackson County:
Tuckasegee River (NC 107 bridge at Love Field Downstream to ~~NC 116 bridge at Webster~~) the Dillsboro dam)
- (G) (F) Macon County:
Nantahala River (portion from Whiteoak Creek to the Nantahala Power and Light power house discharge canal)
- (H) (G) Madison County:
Big Laurel Creek (NC 208 bridge to the US 25-70 bridge)
Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek)
- (I) McDowell County:
Curtis Creek (game lands portion downstream of U.S. Forest Service boundary at Deep Branch)
- (J) (H) Mitchell County:
Cane Creek (NC 226 bridge to NC 80 bridge)
- (K) Polk County:
Green River (Fishtop Falls Access Area to confluence with Cove Creek)
- (L) (H) Surry County:
Ararat River (SR 1727 downstream to Business

US 52 bridge)

Mitchell River (0.6 mile upstream of the end of SR 1333 to Kapps Mill Dam)

(M) (H) Watauga County:

Watauga River ~~SR 1559 bridge at Foscoe downstream to NC 105 bridge~~ (**Confluence of Boone Fork and Watauga River to NC 105 bridge**)

(N) (K) Wilkes County:

East Prong Roaring River (from Bullhead Creek downstream to the Stone Mountain State Park lower boundary)

Stone Mountain Creek (from falls at Allegheny County line to confluence with East Prong Roaring River and Bullhead Creek in Stone Mountain State Park)

- (6) Wild Trout/Natural Bait Waters. Those portions of designated Wild Trout Waters as listed in this Subparagraph, including tributaries except as noted, are further classified as Wild Trout/Natural Bait Waters. All artificial lures and natural baits, except live fish, are allowed provided they are fished using only one single hook. The creel limit, size limit, and open season are the same as other Wild Trout Waters [see 15A NCAC 10C .0305(a)].

(A) Cherokee County:

Tellico River (Fain Ford to Tennessee state line excluding tributaries)

(B) Clay County:

Buck Creek (game land portion downstream of US 64 bridge)

(C) Graham County:

Deep Creek

Long Creek (game land portion)

(D) Jackson County:

Chattooga River (SR 1100 bridge to South Carolina state line)

(lower) Fowler Creek (game land portion)

Scotsman Creek (game land portion)

(E) Macon County:

Chattooga River (SR 1100 bridge to South Carolina state line)

Jarrett Creek (game land portion)

Kimsey Creek

Overflow Creek (game land portion)

Park Creek

Tellico Creek (game land portion)

Turtle Pond Creek (game land portion)

(F) Madison County:

Spillcorn Creek (entire stream, excluding tributaries)

(G) Transylvania County:

North Fork French Broad River (game land portions downstream of SR 1326)

Thompson River (SR 1152 to South Carolina state line, except where posted against trespass,

including portions of tributaries within this section located on game lands)

(b) Fishing in Trout Waters:

- (1) Hatchery Supported Trout Waters. It is unlawful to take fish of any kind by any manner whatsoever from designated public mountain trout waters during the closed seasons for trout fishing. The seasons, size limits, creel limits and possession limits apply in all waters, whether designated or not, as public mountain trout waters. Except in power reservoirs and city water supply reservoirs so designated, it is unlawful to fish in designated public mountain trout waters with more than one line. Night fishing is not allowed in most hatchery supported trout waters on game lands [see 15A NCAC 10D .0004(b)(1) ~~.0104(b)(1)~~].

- (2) Wild Trout Waters. Except as otherwise provided in Subparagraphs (3), (4), and (6) of Paragraph (a) of this Rule, the following rules apply to fishing in wild trout waters.

(A) Open Season. There is a year round open season for the licensed taking of trout.

(B) Creel Limit. The daily creel limit is four trout.

(C) Size Limit. The minimum size limit is seven inches.

(D) Manner of Taking. Only artificial lures having only one single hook may be used. No person shall possess natural bait while fishing wild trout waters except those waters listed in 15A NCAC 10C .0205(a)(6).

(E) Night Fishing. Fishing on wild trout waters is not allowed between one-half hour after sunset and one-half hour before sunrise.

Authority G.S. 113-134; 113-272; 113-292.

.0206 TROT LINES AND SET-HOOKS

Trotlines and set-hooks may be set in the inland waters of North Carolina, provided no live bait is used; except that no trotlines or set-hooks may be set in designated public mountain trout waters or in any of the impounded waters on the Sandhills Game Land, Land, and in In Lake Waccamaw, trotlines or set-hooks may be set only from October 1 through April 30. For the purposes of this Regulation, a set-hook is defined as any hook and line which is attached at one end only to a stationary or floating object and which is not under immediate control and attendance of the person using such device. Each trotline shall have attached the name and address of the user legibly and indelibly inscribed. Each trotline shall be conspicuously marked at each end with a flag, float, or other prominent object so that its location is readily discernable by boat operators and swimmers. Trotlines must be set parallel to the nearest shore in ponds, lakes, and reservoirs. All trotlines and throwlines must be fished at least once daily and all fish removed at that time. Untended trotlines, as evidenced by the absence of bait, may be removed from the water by wildlife enforcement officers when located in areas of multiple water use.

Recognizing the safety hazards to swimmers, boaters and water skiers which are created by floating metal cans and glass jugs, it is unlawful to use metal cans or glass jugs as floats. This shall not be construed to prohibit the use of plastic jugs, cork,

styrofoam, or similar materials as floats.

Authority G.S. 113-134; 113-272; 113-292.

SECTION .0300 - GAME FISH

.0305 OPEN SEASONS: CREEL AND SIZE LIMITS

(a) Generally. Subject to the exceptions listed in Paragraph (b) of this Rule, the open seasons and creel and size limits are as indicated in the following table:

GAME FISHES	DAILY CREEL LIMITS	MINIMUM SIZE LIMITS	OPEN SEASON
Mountain Trout:			
Wild Trout Waters	4	7 in.	ALL YEAR (exc. 2)
Hatchery Supported Trout Waters and undesignated waters	7	None	All year, except March 1 to 6:00 a.m. on first Saturday in April (exc. 2)
Muskellunge and Tiger Musky	2	30 in.	ALL YEAR
Chain Pickerel (Jack)	None	None	ALL YEAR
Walleye	8 (excs. 8 & 9) <u>(exc. 8)</u>	None	ALL YEAR (exc. 8)
Sauger	8	15 in.	ALL YEAR
Black Bass:			
Largemouth	5 (exc. 9)	14 in. (excs. 3, 7 & 10) <u>9)</u>	ALL YEAR (exc. 17) <u>16)</u>
Smallmouth and Spotted	5 (exc. 9)	12 in. (excs. 3, 7 & 10) <u>9)</u>	ALL YEAR
White Bass	25	None	ALL YEAR
Sea Trout (Spotted or Speckled)	10	12 in.	ALL YEAR
Flounder	None	13 in.	ALL YEAR
Red drum (channel bass, red fish, puppy drum)	5 <u>2</u>	18 in. (exc. 19)	ALL YEAR
Striped Bass and their hybrids	8 aggregate (excs. 1 & 5) <u>1, 5 & 12)</u>	16 in. (excs. 1, 5 & 11) <u>10)</u>	ALL YEAR (excs. 5, 13, & 15) <u>12 & 14)</u>

(Morone Hybrids)

Shad: (American and hickory)	10 aggregate (exc. 18) <u>17</u>	None	ALL YEAR (excs. 18 & 19) <u>17 & 18</u>
Kokanee Salmon	7	None	ALL YEAR
Panfishes	None (excs. 4, 12, & 16) <u>11 & 15</u>	None (exc. 12) <u>11</u>	ALL YEAR (exc. 4)
NONGAME FISHES	None (exc. 14) <u>13</u>	None (exc. 14) <u>13</u>	ALL YEAR (excs. 6)

(b) Exceptions:

- (1) In the Dan River upstream from its confluence with Bannister River to the Brantly Steam Plant Dam, and in John H. Kerr, Gaston, and Roanoke Rapids Reservoirs, and Lake Norman, the creel limit on striped bass and Morone hybrids is four in the aggregate and the minimum size limit is 20 inches.
- (2) In designated public mountain trout waters the season for taking all species of fish is the same as the trout fishing season. There is no closed season on taking trout from Nantahala River and all tributaries (excluding impoundments) upstream from Nantahala Lake, and the impounded waters of power reservoirs and municipally-owned water supply reservoirs open to the public for fishing.
- (3) Bass taken from Calderwood Reservoir may be retained without restriction as to size limit.
- (4) On Mattamuskeet Lake, special federal regulations apply.
- (5) In the inland fishing waters of Cape Fear, Neuse, Pee-Dee, Pungo and Tar-Pamlico rivers and their tributaries and the Roanoke River and its tributaries, including the Cashie, Middle, and Eastmost rivers, extending upstream to the first impoundment, and Lake Mattamuskeet, the daily creel limit for striped bass and their hybrids is three fish in aggregate and the minimum length limit is 18 inches. In the Roanoke River and its tributaries, including the Cashie, Middle, and Eastmost rivers, extending upstream to the first impoundment, the daily creel limit for striped bass and their hybrids is two fish in aggregate and the minimum length limit is 18 inches. In the Roanoke River and its tributaries, including the Cashie, Middle, and Eastmost ~~rivers from rivers, in the Tar-Pamlico River and its tributaries upstream of the Grimesland bridge and in the Neuse River and its tributaries upstream of the NC 55 bridge in Lenoir County April 1 to May 31~~ no ~~fish striped bass or striped bass hybrids~~ between the lengths of 22 inches and 27 inches shall be ~~retained. retained during the period April 1 through May 31.~~
- (6) See 15A NCAC 10C .0407 for open seasons for

taking nongame fishes by special devices.

- (7) The maximum combined number of black bass of all species that may be retained per day is five fish, no more than two of which may be smaller than the applicable minimum size limit. The minimum size limit for all species of black bass is 14 inches, with no exception in Lake Luke Marion in Moore County, in Reedy Creek Park lakes in Mecklenburg County, in Lake Rim in Cumberland County, in Currituck Sound and tributaries north of Wright Memorial Bridge, in North River and tributaries in Currituck and Camden Counties north of a line between Camden Point and the end of SR 1124, in High Rock Lake downstream of I-85, in Badin Lake, in Falls Lake, in Lake Tillery, in Blewett Falls Lake, in Tuckertown Lake, and in the New River and its tributaries in Onslow County. In and west of Madison, Buncombe, Henderson and Polk Counties and in designated public mountain trout waters the minimum size limit is 12 inches. In B. Everett Jordan Reservoir and in Falls of the Neuse Reservoir, east of SR 1004, a minimum size limit of 16 inches, with no exception, applies to largemouth bass. ~~In Falls of Neuse Reservoir, east of SR 1004, and Tuckertown Lake no black bass between the lengths of 12 inches and 16 inches may be retained, and the minimum size limit for black bass is 16 inches, except that the daily creel may contain two black bass of less than 12 inches in length.~~ In W. Kerr Scott Reservoir there is no minimum size limit for spotted bass.
- (8) A minimum size limit of 15 inches applies to walleye taken from Lake James and its tributaries, and the daily creel limit for walleye is four fish in Linville River upstream from the NC 126 bridge above Lake James.
- (9) The creel limit for black bass and walleye taken from Calderwood Reservoir is 10.
- (9) (10) The minimum size limit for all black bass, with no exception, is 18 inches in the following trophy bass lakes:
 - (A) Cane Creek Lake in Union County;
 - (B) Lake Thom-A-Lex in Davidson County; and
 - (C) Sutton Lake in New Hanover County.

- (10) (+1) In all impounded inland waters and their tributaries, except those waters described in Exceptions (1) and (5), the daily creel limit of striped bass and their hybrids may include not more than two fish of smaller size than the minimum size limit.
- (11) (+2) In Lake Tillery, Falls Lake, High Rock Lake, Badin Lake, Tuckertown Lake, Lake Hyc0, Lake **Ramseur and Ramsey**, Cane Creek Lake **and the Roanoke River downstream of the US 17 bridge in Williamston and its tributaries (including the Cashie, Middle and Eastmost rivers and their tributaries)** a daily creel limit of 20 fish and a minimum size limit of 8 inches apply to crappie. In Lake James; **James and Hiwassee Reservoir**, a daily creel limit of 20 fish applies to crappie.
- (12) (+3) In designated inland fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and Cashie River and their tributaries), striped bass fishing season, size limits and creel limits shall be the same as those established by duly adopted rules or proclamations of the Marine Fisheries Commission in adjacent joint or coastal fishing waters.
- (13) (+4) The daily creel and length limits for channel, white, and blue catfish in designated urban lakes are provided for in 15A NCAC 10C .0401(d).
- (14) (+5) The Executive Director may, by proclamation, suspend or extend the hook-and-line season for striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.
- (15) (+6) In the entire Lumber River from the Camp MacKall bridge (SR 1225, at the point where Richmond, Moore, Scotland, and Hoke counties join) to the South Carolina state line and in all public fishing waters east of I-95, except Tar River Reservoir in Nash County, the daily creel limit for sunfish is 30 in aggregate, no more than 12 of which shall be redbreast sunfish.
- (16) (+7) In Sutton Lake, no largemouth bass may be retained from December 1 through March 31.
- (17) (+8) In the Pee Dee River downstream from the Blewett Falls dam, shad may be taken with special fishing devices without restriction to creel limits as provided for in 15A NCAC 10C .0404 (b) during the permitted special fishing device seasons specified in 15A NCAC 10C .0407. American and hickory shad taken under this Subparagraph may be sold as authorized under subsection 10C .0401.
- (18) (+9) The season for taking American and hickory shad with dip nets and bow nets is March 1 through April 30, except in Pee Dee River downstream from Blewett Falls dam where the season prescribed in 15A NCAC 10C .0407 (4) and (75) is in effect.

- (19) No red drum greater than 27 inches in length may be retained.

Authority G.S. 113-134; 113-292; 113-304; 113-305.

SECTION .0400 - NONGAME FISH

.0401 MANNER OF TAKING NONGAME FISHES: PURCHASE AND SALE

(a) Except as permitted by the rules in this Section, it is unlawful to take nongame fishes from the inland fishing waters of North Carolina in any manner other than with hook and line or grabbling. Nongame fishes may be taken by hook and line or grabbling at any time without restriction as to size limits or creel limits, except that no trotlines or set-hooks may be used in the impounded waters located on the Sandhills Game Land or in designated public mountain trout ~~waters, and waters.~~ **in In** Lake Waccamaw, trotlines or set-hooks may be used only from October 1 through April 30. The season for taking nongame fishes by other hook and line methods in designated public mountain trout waters shall be the same as the trout fishing season.

(b) Nongame fishes, except bowfin, alewife and blueback herring taken by hook and line, grabbling or by licensed special devices may be sold. Eels less than six inches in length taken from inland waters may not be sold possessed and possession of eels 6 inches or larger in length is limited to 200 per day for bait.

(c) Freshwater mussels may only be taken from impounded waters, except mussels shall not be taken in Lake Waccamaw and in University Lake in Orange County.

(d) In the posted Community Fishing Program waters listed below it is unlawful to take channel, white or blue catfish (forked tail catfish) by means other than hook and line; the daily creel limit for forked tail catfish is six fish in aggregate:

Cedarock Pond, Alamance County
Little Park Pond, Anson County
Lake Tomahawk, Buncombe County
 Frank Liske Park Pond, Cabarrus County
 Lake Rim, Cumberland County
 C.G. Hill Memorial Park Pond, Forsyth County
 Kernersville Lake, Forsyth County
 Winston Pond, Forsyth County
 Bur-Mil Park Ponds, Guilford County
 Oka T. Hester Pond, Guilford County
 San-Lee Park Ponds, Lee County
 Kinston Neuseway Park Pond, Lenoir County
 Freedom Park Pond, Mecklenburg County
 Hornet's Nest Pond, Mecklenburg County
 McAlpine Lake, Mecklenburg County
 Lake Luke Marion, Moore County
Lake Michael, Orange County
 River Park North Pond, Pitt County
 Big Elkin Creek, Surry County
 Apex Community Lake, Wake County
 Lake Crabtree, Wake County
 Shelley Lake, Wake County

Simpkins Pond, Wake County
Lake Toisnot, Wilson County
Ellerbe Community Lake, Richmond County

Authority G.S. 113-134; 113-272; 113-292.

.0402 TAKING NONGAME FISHES FOR BAIT

(a) It is unlawful to take nongame fish for bait in the inland waters of North Carolina using equipment other than:

- (1) a net of dip net design not greater than six feet across;
- (2) a seine of not greater than 12 feet in length (except in Lake Waccamaw where there is no length limitation) and with a bar mesh measure of not more than one-fourth inch;
- (3) a cast net;
- (4) minnow traps not exceeding 12 inches in diameter and 24 inches in length, with funnel openings not exceeding one inch in diameter, and which are under the immediate control and attendance of the individual operating them.

(b) It is unlawful to sell nongame fishes or aquatic animals taken under this Subchapter.

(c) Game fishes and their young taken while netting for bait shall be immediately returned unharmed to the water. No person shall take more than 200 nongame fish for bait pursuant to this Subchapter from inland fishing waters during one day. It is unlawful to take nongame fish for bait or any other fish bait from designated public mountain trout waters and:

- (1) Chatham County:
Deep River
Rocky River
Bear Creek
- (2) Lee County:
Deep River
- (3) Moore County:
Deep River
- (4) Randolph County:
Deep River below the Coleridge Dam
Fork Creek.

(d) In the waters of the Little Tennessee River, the Catawba River upstream of Lookout Shoals Dam, including all the tributaries and impoundments thereof, and on adjacent shorelines, docks, access ramps and bridge crossings, it is unlawful to transport, possess or release live alewife or live blueback herring.

Authority G.S. 113-134; 113-35; 113-272; 113-272.3; 113-292.

.0407 PERMITTED SPECIAL DEVICES AND OPEN SEASONS

Except in designated public mountain trout waters, and in impounded waters located on the Sandhills Game Land, there is a year-round open season for the licensed taking of nongame fishes by bow and arrow. All fixed and drift gill nets must be attended when fished in the designated inland waters of the counties listed in 15A NCAC 10C .0404(b)(3). Attended as

used in this Rule and in 15A NCAC 10C .0404(b)(3) requires that fisherman be within 100 yards of all sets of nets at all times. Seasons and waters in which the use of other special devices is authorized are indicated by counties below:

- (1) Alamance:
 - (a) July 1 to August 31 with seines in Alamance Creek below NC 49 bridge and Haw River;
 - (b) July 1 to June 30 with gigs in all public waters;
- (2) Alexander: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lake Hickory and Lookout Shoals Reservoir;
- (3) Alleghany: July 1 to June 30 with gigs in New River, except designated public mountain trout waters;
- (4) Anson:
 - (a) July 1 to June 30 with traps and gigs in all public waters;
 - (b) December 1 to June 5 with dip and bow nets in Pee Dee River below Blewett Falls Dam, and with gill nets in Pee Dee River below the lower end of Goat Island;
 - (c) July 1 to August 31 with seines in all running public waters, except Pee Dee River from Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;
- (5) Ashe: July 1 to June 30 with gigs in New River (both forks), except designated public mountain trout waters;
- (6) Beaufort:
 - (a) July 1 to June 30 with traps in the Pungo River, and in the Tar and Pamlico Rivers above Norfolk and Southern Railroad bridge; and with gigs in all inland public waters;
 - (b) December 1 to June 5 with dip and bow nets in all inland public waters; ~~with attended drift gill nets in Tar River upstream from the Norfolk and Southern Railroad bridge at Washington to the Pitt County line; and with attended gill nets in all other inland public waters, except Blounts Creek, Chocowinity Bay, Durham Creek, Mixon Creek and Nevil Creek and their tributaries.~~
- (7) Bertie:
 - (a) July 1 to June 30 with traps in the Broad Creek (tributary of Roanoke);
 - (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; ~~and with attended gill nets in all inland public waters;~~
- (8) Bladen:
 - (a) December 1 to March 1 with attended gill nets in all inland public waters, except Jones, Salters, White, Singletary and Baytree (Black) Lakes;
 - (b) December 1 to May 1 with attended gill nets in Black River;

- (c) December 1 to June 5 with dip and bow nets in Black River;
- (9) Brunswick:
 - (a) December 1 to March 1 with attended gill nets in all inland public waters, except Waccamaw River and its tributaries;
 - (b) December 1 to May 1 with dip, bow, and attended gill nets in Alligator Creek, Hoods Creek, Indian Creek, Orton Creek below Orton Pond, Rices Creek, Sturgeon Creek and Town Creek;
- (10) Buncombe: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (11) Burke:
 - (a) July 1 to August 31 with seines in all running public waters, except Johns River and designated public mountain trout waters;
 - (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters and Lake James;
- (12) Cabarrus:
 - (a) July 1 to August 31 with seines in all running public waters,
 - (b) July 1 to June 30 with traps and gigs in all public waters;
- (13) Caldwell: July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters;
- (14) Camden:
 - (a) July 1 to June 30 with traps in all inland public waters;
 - (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; and ~~with attended gill nets in all inland public waters;~~
- (15) Carteret: December 1 to June 5 with dip, bow, and attended gill dip and bow nets in all inland public waters except South River and the tributaries of the White Oak River;
- (16) Caswell:
 - (a) July 1 to June 30 with gigs in all public waters;
 - (b) July 1 to August 31 with seines in all running public waters, except Moons Creek;
 - (c) July 1 to June 30 with traps in Hyco Reservoir;
- (17) Catawba:
 - (a) July 1 to August 31 with seines in all running public waters, except Catawba River below Lookout Dam;
 - (b) July 1 to June 30 with traps, spear guns, and gigs in all public waters;
- (18) Chatham:
 - (a) December 1 to April 15 with dip and gill nets in the Cape Fear River, Deep River, Haw River and Rocky River (local law);
 - (b) July 1 to August 31 with seines in the Cape Fear River, and Haw River;
- (c) July 1 to June 30 with traps in Deep River; and with gigs in all public waters;
- (19) Cherokee: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (20) Chowan:
 - (a) December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; and ~~with attended gill nets in all inland public waters, except Bennetts Mill Pond and Dillard Pond;~~
 - (b) July 1 to June 30 with traps in all inland public waters, excluding public lakes, ponds, and other impounded waters;
- (21) Clay: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (22) Cleveland:
 - (a) July 1 to August 31 with seines in all running public waters;
 - (b) July 1 to June 30 with gigs, traps and spear guns in all public waters;
- (23) Columbus:
 - (a) December 1 to March 1 with attended gill nets in all inland public waters, except Lake Waccamaw and its tributaries and Waccamaw River and its tributaries;
 - (b) December 1 to March 1 with gigs in all inland public waters, except Lake Waccamaw and its tributaries;
 - (c) December 1 to June 5 with dip, bow, and attended gill nets in Livingston Creek;
- (24) Craven:
 - (a) July 1 to June 30 with traps in the main run of the Trent and Neuse Rivers;
 - (b) December 1 to June 5 with dip, bow, and attended gill dip and bow nets in all inland public waters, except Pitch Kettle, Grindle, ~~Slocum~~, Slocum (downstream of the US 70 bridge), Spring and Hancock Creeks and their tributaries; ~~with dip and bow nets in Slocum Creek above the US 70 bridge;~~ and with seines in the Neuse River;
- (25) Cumberland: December 1 to March 1 with attended gill nets in all inland public waters;
- (26) Currituck:
 - (a) July 1 to June 30 with traps in Tulls Creek and Northwest River;
 - (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; and ~~with attended gill nets in Northwest River and Tulls Creek;~~
- (27) Dare:
 - (a) July 1 to June 30 with traps in Mashoes Creek, Milltail Creek, East Lake and South Lake;

- (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; and with attended gill nets in Martin Point Creek;
- (28) Davidson:
 - (a) July 1 to August 31 with seines in all running public waters,
 - (b) July 1 to June 30 with gigs in all public waters, and with traps in all public waters except Leonard's Creek, Abbott's Creek below Lake Thom-A-Lex dam, and the Abbott's Creek arm of High Rock Lake upstream from the NC 8 bridge;
- (29) Davie:
 - (a) July 1 to June 30 with traps and gigs in all public waters;
 - (b) July 1 to August 31 for taking only carp and suckers with seines in Dutchmans Creek from US 601 to Yadkin River and in Hunting Creek from SR 1338 to South Yadkin River;
- (30) Duplin: December 1 to June 5 with dip and bow nets and seines in the main run of the Northeast Cape Fear River downstream from a point one mile above Serecta Bridge;
 - (a) ~~December 1 to March 1 with attended gill nets in Baysden Pond and in the Northeast Cape Fear River, including old channels from a point one mile above SR 1700 (Serecta) Bridge downstream to the county line;~~
 - (b) ~~December 1 to June 5 with dip, bow, and attended gill nets and seines in the main run of the Northeast Cape Fear River downstream from a point one mile above Serecta Bridge;~~
- (31) Durham:
 - (a) July 1 to August 31 with seines in Neuse River,
 - (b) July 1 to June 30 with gigs in all public waters;
- (32) Edgecombe:
 - (a) December 1 to March 15 with gill nets in Noble Mill Pond and Wiggins Lake;
 - (b) December 1 to June 5 with dip and bow nets in all public waters; and with drift gill nets in Tar River below the bridge at Old Sparta to the Pitt County line;
- (33) Forsyth: July 1 to June 30 with traps and gigs in all public waters, except traps may not be used in Belews Creek Reservoir;
- (34) Franklin:
 - (a) December 1 to March 1 with gill nets in Clifton Pond, Parrish Pond, Jackson Pond and Lake Royale;
 - (b) July 1 to August 31 with seines in Tar River;
 - (c) July 1 to June 30 with gigs in all public waters, except Parrish, Laurel Mill, Jackson, Clifton, Moore's and Perry's Ponds, and in the Franklinton City ponds;
- (35) Gaston:
 - (a) July 1 to August 31 with seines in all running public waters;
 - (b) July 1 to June 30 with gigs, traps and spear guns in all public waters;
- (36) Gates: December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; and ~~with attended gill nets in all inland public waters; except Williams (Merchants Mill) Pond;~~
- (37) Graham: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (38) Granville:
 - (a) July 1 to June 30 with gigs in all public waters, except Kerr Reservoir;
 - (b) July 1 to August 31 with seines in the Neuse River and the Tar River below US 158 bridge;
 - (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
 - (d) July 1 to June 30 with cast nets in all public waters;
- (39) Greene: December 1 to June 5 with ~~dip, bow, and attended gill dip and bow~~ nets and reels in Contentnea Creek;
- (40) Guilford:
 - (a) July 1 to August 31 with seines in Haw River, Deep River below Jamestown Dam, and Reedy Fork Creek below US 29 bridge;
 - (b) July 1 to June 30 with gigs in all public waters;
- (41) Halifax:
 - (a) December 1 to March 1 with gill nets in White's Mill Pond;
 - (b) December 1 to June 5 with dip and bow nets in Beech Swamp, Clarks Canal, Conoconnara Swamp, Fishing Creek below the Fishing Creek Mill Dam, Kehukee Swamp, Looking Glass Gut, Quankey Creek, and White's Mill Pond Run;
 - (c) July 1 to June 30 with dip and cast nets in Gaston Reservoir and Roanoke Rapids Reservoir;
- (42) Harnett:
 - (a) December 1 to March 1 with attended gill nets in all inland public waters;
 - (b) January 1 to May 31 with gigs in Cape Fear River and tributaries;
 - (c) December 1 to June 5 with dip and bow nets in Cape Fear River;
- (43) Haywood: July 1 to June 30 with gigs in all public waters, except Lake Junaluska and designated public mountain trout waters;
- (44) Henderson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (45) Hertford:

- (a) July 1 to June 30 with traps in Wiccacon Creek;
- (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; ~~and with attended gill nets in all inland public waters, except mill ponds;~~
- (46) Hoke: December 1 to March 1 with attended gill nets in all inland public waters;
- (47) Hyde:
 - (a) July 1 to June 30 with traps in all inland waters;
 - (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; ~~and with attended gill nets in Pungo River and tributaries upstream from US 264 bridge, Scranton Creek, and Long Shoal River and tributaries;~~
- (48) Iredell: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lookout Shoals Reservoir and Lake Norman;
- (49) Jackson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (50) Johnston:
 - (a) December 1 to March 1 with gill nets in Cattails Lake, Holts Lake, Holts Pond, and Wendell Lake;
 - (b) December 1 to June 5 with dip and bow nets in Black Creek, Little River, Middle Creek, Mill Creek, Neuse River, and Swift Creek;
- (51) Jones:
 - (a) July 1 to June 30 with traps in the Trent River below US 17 bridge and White Oak River below US 17 bridge;
 - (b) December 1 to June 5 with dip, ~~bow,~~ and ~~attended gill~~ dip and bow nets in all inland public waters, except the tributaries to the White Oak River; River and its tributaries;
 - (c) ~~December 1 to June 5 with dip and bow nets in the main run of the White Oak River;~~
 - (d) ~~March 1 to April 30 with attended gill nets in the main run of the White Oak River;~~
- (52) Lee:
 - (a) December 1 to April 15 with dip and gill nets (local law) in Cape Fear River and Deep River; and with gill nets in Morris Pond;
 - (b) July 1 to August 31 with seines in Cape Fear River;
 - (c) July 1 to June 30 with traps in Deep River, and with gigs in all public waters;
- (53) Lenoir:
 - (a) July 1 to June 30 with traps in Neuse River below US 70 bridge at Kinston;
 - (b) December 1 to June 5 with ~~dip, bow, and attended gill~~ dip and bow nets in Neuse River and Contentnea Creek upstream from NC 118 bridge at Grifton; and with seines in Neuse River;
- (54) Lincoln:
 - (a) July 1 to August 31 with seines in all running public waters;
 - (b) July 1 to June 30 with traps, gigs and spear guns in all public waters;
- (55) McDowell:
 - (a) July 1 to August 31 with seines in all running public waters, except designated public mountain trout waters;
 - (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters and Lake James;
- (56) Macon: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (57) Madison: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (58) Martin: December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; ~~and with attended gill nets in all inland public waters;~~
- (59) Mecklenburg:
 - (a) July 1 to August 31 with seines in all running public waters;
 - (b) July 1 to June 30 with traps, gigs and spear guns in all public waters except Freedom Park Pond and Hornet's Nest Ponds;
- (60) Montgomery:
 - (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
 - (b) July 1 to June 30 with traps and gigs in all public waters;
- (61) Moore:
 - (a) December 1 to April 15 with gill nets in Deep River and all tributaries;
 - (b) July 1 to August 31 with seines in all running public waters except in Deep River;
 - (c) July 1 to June 30 with gigs in all public waters, except lakes located on the Sandhills Game Land; and with traps in Deep River and its tributaries;
- (62) Nash:
 - (a) December 1 to March 1 with gill nets in Boddies Pond and Camp Charles Lake;
 - (b) July 1 to June 30 with gigs in all public waters, except Tar River;
 - (c) December 1 to June 5 with dip and bow nets in the Tar River below Harris' Landing and Fishing Creek below the Fishing Creek Mill Dam;
- (63) New Hanover: December 1 to June 5 with ~~dip, bow,~~

- and attended gill dip and bow nets in all inland public waters, except Sutton (Catfish) Lake;
- (64) Northampton:
- (a) July 1 to June 30 with gigs in all public waters, except Gaston and Roanoke Rapids Reservoirs and the Roanoke River above the US 301 bridge;
 - (b) December 1 to June 5 with dip and bow nets in Occoneechee Creek, Old River Landing Gut; and with dip, bow and gill nets in Vaughans Creek below Watsons Mill;
 - (c) July 1 to June 30 with dip and cast nets in Gaston Reservoir and Roanoke Rapids Reservoir;
- (65) Onslow:
- (a) July 1 to June 30 with traps in White Oak River below US 17 bridge;
 - (b) August 1 to March 31 with eel pots in the main run of New River between US 17 bridge and the mouth of Hawkins Creek;
 - (c) ~~December 1 to March 1 with attended gill nets in Catherine Lake and Baysden Pond;~~
 - (c) (d) December 1 to June 5 with dip, bow, and attended gill dip and bow nets in the main run of New River; and with dip and bow nets River and in the main run of the White Oak River;
 - (d) (e) March 1 to April 30 with attended gill nets in the main run of the White Oak River; and with dip, bow and attended gill dip and bow nets in Grant's Creek;
- (66) Orange:
- (a) July 1 to August 31 with seines in Haw River;
 - (b) July 1 to June 30 with gigs in all public waters;
- (67) Pamlico: December 1 to June 5 with dip, bow, and attended gill dip and bow nets in all inland public waters, except Dawson Creek;
- (68) Pasquotank:
- (a) July 1 to June 30 with traps in all inland waters;
 - (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; and ~~with attended gill nets in all inland public waters;~~
- (69) Pender:
- (a) December 1 to June 5 with dip, bow, and attended gill dip and bow nets in the Northeast Cape Fear River and Long Creek; with dip and bow nets River, Long Creek and in Black River; and with seines in the main run of Northeast Cape Fear River;
 - (b) December 1 to May 1 with dip, bow, and attended gill nets in Black River; and with dip, bow, and attend gill dip and bow nets in Moore's Creek approximately one mile upstream to New Moon Fishing Camp;
- (70) Perquimans:
- (a) July 1 to June 30 with traps in all inland waters;
 - (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding public lakes, ponds, and other impounded waters; and ~~with attended gill nets in all inland public waters;~~
- (71) Person:
- (a) July 1 to August 31 with seines in Hyco Creek and Mayo Creek;
 - (b) July 1 to June 30 with gigs in all public waters.
- (72) Pitt:
- (a) July 1 to June 30 with traps in Neuse River and in Tar River below the mouth of Hardee Creek east of Greenville;
 - (b) December 1 to June 5 with dip, bow, and attended gill dip and bow nets and with seines in Tar River; and with dip, bow and attended gill nets in all other inland public waters, except Grindle Creek, and Contentnea Creek between NC 118 bridge at Grifton and the Neuse River;
 - (c) December 1 to June 5 with seines in Tar River;
- (73) Polk: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (74) Randolph:
- (a) December 1 to March 1 with gill nets in Deep River and Uwharrie River;
 - (b) July 1 to August 31 with seines in Deep River above the Coleridge Dam and Uwharrie River;
 - (c) July 1 to June 30 with gigs in all public waters;
- (75) Richmond:
- (a) July 1 to August 31 with seines in all running public waters, except Pee Dee River from Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;
 - (b) July 1 to June 30 with traps and gigs in all public waters, except lakes located on the Sandhills Game Land;
 - (c) December 1 to June 5 with dip and bow nets in Pee Dee River below Blewett Falls Dam, and with gill nets in Pee Dee River below the mouth of Cartledge Creek;
- (76) Robeson: December 1 to March 1 with attended gill nets and gigs in all inland public waters;
- (77) Rockingham:
- (a) July 1 to August 31 with seines in Dan River and Haw River;
 - (b) July 1 to June 30 with traps in Dan River; and with gigs in all public waters;
- (78) Rowan:
- (a) July 1 to August 31 with seines in all running public waters,
 - (b) July 1 to June 30 with traps and gigs in all public waters;

- (79) Rutherford:
- (a) July 1 to August 31 with seines in all running public waters, except designated public mountain trout waters;
 - (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated public mountain trout waters;
- (80) Sampson:
- (a) December 1 to March 1 with attended gill nets in all inland public waters;
 - (b) December 1 to May 1 with attended gill nets in Big Coharie Creek, Black River, and Six Runs Creek;
 - (c) May 2 to June 5 with attended gill nets of no less than five and one-half inch stretch measure in Big Coharie Creek, Black River, and Six Runs Creek;
 - (d) December 1 to June 5 with dip and bow nets in Big Coharie Creek, Black River, and Six Runs Creek;
- (81) Scotland: December 1 to March 1 with attended gill nets in all inland public waters, except lakes located on the Sandhills Game Land;
- (82) Stanly:
- (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
 - (b) July 1 to June 30 with traps and gigs in all public waters;
- (83) Stokes: July 1 to June 30 with traps and gigs in all public waters, except designated public mountain trout waters, and traps may not be used in Belews Creek Reservoir;
- (84) Surry: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters; and with traps in the main stem of Yadkin River;
- (85) Swain: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (86) Transylvania: July 1 to June 30 with gigs in all public waters, except designated public mountain trout waters;
- (87) Tyrrell:
- (a) July 1 to June 30 with traps in Scuppernong River, Alligator Creek, and the drainage canals of Lake Phelps;
 - (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding Lake Phelps, public lakes, ponds and other impounded waters; and with attended gill nets in Alligator Creek;
- (88) Union:
- (a) July 1 to August 31 with seines in all running public waters,
 - (b) July 1 to June 30 with traps and gigs in all public waters;
- (89) Vance:
- (a) December 1 to March 1 with gill nets in Southerlands Pond and Ellis Pond;
 - (b) July 1 to August 31 with seines in the Tar River;
 - (c) July 1 to June 30 with gigs in all public waters, except Rolands, Faulkners, Southerlands, and Weldon Ponds, City Lake, and Kerr Reservoir;
 - (d) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
 - (e) July 1 to June 30 with cast nets in all public waters;
- (90) Wake:
- (a) July 1 to June 30 with gigs in all public waters, except Sunset, Benson, Wheeler, Raleigh, and Johnson Lakes;
 - (b) December 1 to June 5 with dip and bow nets in the Neuse River below Milburnie Dam, and Swift Creek below Lake Benson Dam;
- (91) Warren:
- (a) July 1 to August 31 with seines in Fishing Creek, Shocco Creek, and Walker Creek; excluding Duck and Hammes Mill Ponds;
 - (b) July 1 to June 30 with gigs in all public waters, except Duck and Hammes Mill Ponds, Kerr Reservoir, and Gaston Reservoir;
 - (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir and Gaston Reservoir;
 - (d) July 1 to June 30 with cast nets in all public waters;
- (92) Washington:
- (a) July 1 to June 30 with traps in the drainage canals of Lake Phelps;
 - (b) December 1 to June 5 with dip and bow nets in all inland public waters, excluding Lake Phelps, public lakes, ponds and other impoundments; and with attended gill nets in Conaby Creek;
- (93) Wayne:
- (a) December 1 to March 1 with gill nets in Sasser's Mill Pond and Sleepy Creek Lake;
 - (b) December 1 to June 5 with dip and bow nets in Little River, Mill Creek, and Neuse River, except from Quaker Neck Dam downstream to SR 1008 (Tolar) bridge;
- (94) Wilkes: July 1 to June 30 with traps in Yadkin River below W. Kerr Scott Reservoir; and with gigs and spear guns in all public waters, except designated public mountain trout waters;
- (95) Wilson:
- (a) July 1 to June 30 with gigs in Contentnea Creek (except Buckhorn Reservoir), including unnamed tributaries between Flowers Mill and SR 1163 (Deans) bridge;
 - (b) December 1 to June 5 with dip and bow nets in Contentnea Creek below US 301 bridge and in

- Toisnot Swamp downstream from the Lake Toisnot Dam;
- (c) January 1 to March 1 with gill nets in Silver Lake;
- (96) Yadkin: July 1 to June 30 with gigs in all public waters, and with traps in the main stem of Yadkin River.

Authority G.S. 113-134; 113-276; 113-292.

SECTION .0500 - PRIMARY NURSERY AREAS

.0503 DESCRIPTIVE BOUNDARIES

The following waters have been designated as primary nursery areas:

- (1) North River:
 - (a) Broad Creek - Camden County - Entire stream;
 - (b) Deep Creek - Currituck County - Entire stream;
 - (c) Lutz Creek - Currituck County - Entire stream.
- (2) Alligator River:
 - (a) East Lake - Dare County - Inland waters portion;
 - (b) Little Alligator River - Tyrrell County - Entire stream.
- (3) Currituck Sound:
 - (a) Martin Point Creek - Dare County - Entire stream (Jean Guite Creek);
 - (b) Tull Creek and Bay - Currituck County - Tull Bay to mouth of Northwest River; Tull Creek from mouth upstream to SR 1222 bridge.
- (4) Pamlico River:
 - (a) Duck Creek - Beaufort County - Entire stream;
 - (b) Bath Creek - Beaufort County - Entire stream;
 - (c) Mixons Creek - Beaufort County - Entire stream;
 - (d) Porter Creek - Beaufort County - Entire stream;
 - (e) Tooleys Creek - Beaufort County - Entire stream;
 - (f) Jacobs Creek - Beaufort County - Entire stream;
 - (g) Jacks Creek - Beaufort County - Entire stream;
 - (h) Bond Creek - Beaufort County - Entire stream;
 - (i) Muddy Creek - Beaufort County - Entire stream;
 - (j) Strawhorn Creek - Beaufort County - Entire stream;
 - (k) South Prong Wright Creek - Beaufort County - Entire stream;
 - (l) Jordan Creek - Beaufort County - Entire stream.
- (5) Neuse River:
 - (a) Slocum Creek - Craven County - Entire stream;
 - (b) Hancock Creek - Craven County - Entire stream.
- (6) New River:
 - (a) French Creek - Onslow County - Entire stream;
 - (b) New River - Onslow County - US Highway 17 bridge to point 0.75 miles upstream.

- (7) Roanoke River: Halifax and Northampton counties - US 258 bridge to Roanoke Rapids dam.
- (8) Tar-Pamlico River: Nash, Edgecombe, Pitt and Beaufort counties - N&S railroad at Washington upstream to Rocky Mount Mills Dam.
- (9) Neuse River: Wake, Johnston, Wayne, Lenoir, Pitt and Craven counties - Pitchkettle Creek upstream to Milburnie Dam.
- (10) Cape Fear River: Chatham, Lee, Harnett, Cumberland and Bladen counties - Lock and Dam No. 1 upstream to Buckhorn Dam.

Authority G.S. 113-132; 113-134.

SUBCHAPTER 10D - GAME LANDS REGULATIONS

SECTION .0100 - GAME LANDS REGULATIONS

.0102 GENERAL REGULATIONS REGARDING USE

(a) Trespass. Entry on game lands for purposes other than hunting, trapping or fishing shall be as authorized by the landowner and there shall be no removal of any plants or parts thereof, or other materials, without the written authorization of the landowner. Travel is restricted, except by authorized personnel, to direct access from SR 2074 to the established waterfowl viewing stands on Cowan's Ford Waterfowl Refuge. The Wildlife Resources Commission may designate areas on game lands as either an Archery Zone, Safety Zone, Safety Zone, Restricted Firearms Zone, or Restricted Zone.

- (1) Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to bow and arrow hunting only.
- (2) Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No person shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety zone on any game land.
- (3) Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the use of centerfire rifles is prohibited.
- (4) Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained specific written approval of such entry or use from an authorized agent of the Wildlife Resources Commission.
- (5) Establishment of Archery, Archery, Restricted Firearms, and Restricted Zones. The Commission shall conduct a public input meeting in the area where the game land is located before establishing any archery, archery, restricted firearms or restricted zone. After the input meeting the public comments shall be presented to an official Commission meeting for final determination.
- (b) Littering. No person shall deposit any litter, trash,

garbage, or other refuse at any place on any game land except in receptacles provided for disposal of such refuse at designated camping and target-shooting areas. No garbage dumps or sanitary landfills shall be established on any game land by any person, firm, corporation, county or municipality, except as permitted by the landowner.

(c) Possession of Hunting Devices. It is unlawful to possess a firearm or bow and arrow on a game land at any time except during the open hunting seasons or hunting days for game birds or game animals, other than fox, thereon unless said device is cased or not immediately available for use, provided that such devices may be possessed and used by persons participating in field trials on field trial areas and on target shooting areas designated by the landowner, and possessed in designated camping areas for defense of persons and property; and provided further that .22 caliber pistols with barrels not greater than seven and one-half inches in length and shooting only short, long, or long rifle ammunition may be carried as side arms on game lands at any time other than by hunters during the special bow and arrow and muzzle-loading firearms deer hunting seasons and by individuals training dogs during closed season without field trial authorization. This Rule shall not prevent possession or use of a bow and arrow as a licensed special fishing device in those waters where such use is authorized. During the closed firearms seasons on big game (deer, bear, boar, wild turkey), no person shall possess a shotgun shell containing larger than No. 4 shot or any rifle or pistol larger than a .22 caliber rimfire while on a game land, except that shotgun shells containing any size steel or non-toxic shot may be used while waterfowl hunting. Furthermore, only shotguns with any size shot may be possessed during the big game season for turkey. No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any posted waterfowl impoundment on any game land, or while hunting waterfowl on Butner-Falls of Neuse Game Land or New Hope Game Land, except shotgun shells containing lead buckshot may be used while deer hunting.

(d) Game Lands License: Hunting and Trapping

- (1) Requirement. Except as provided in Subparagraph (2) of this Paragraph, any person entering upon any game land for the purpose of hunting, trapping, or participating in dog training or field trial activities shall have in his possession a game lands license in addition to the appropriate hunting or trapping licenses.
- (2) Exceptions
 - (A) A person under 16 years of age may hunt on game lands on the license of his parent or legal guardian.
 - (B) The resident and nonresident sportsman's licenses include game lands use privileges.
 - (C) Judges and nonresidents participating in field trials under the circumstances set forth in Paragraph (e) of this Rule may do so without the game lands license.
 - (D) On the game lands described in Rule ~~.0003(e)(2)~~ .0103(e)(2) of this **Subchapter Section** the game lands license is required only

for hunting doves; all other activities are subject to the control of the landowners.

(e) Field Trials and Training Dogs. A person serving as judge of a field trial which, pursuant to a written request from the sponsoring organization, has been officially authorized in writing and scheduled for occurrence on a game land by an authorized representative of the Wildlife Resources Commission, and any nonresident participating therein may do so without procuring a game lands license, provided such nonresident has in his possession a valid hunting license issued by the state of his residence. Any individual or organization sponsoring a field trial on the Sandhills Field Trial grounds or the Laurinburg Fox Trial facility shall file with the commission's agent an application to use the area and facility accompanied by the facility use fee computed at the rate of one hundred dollars (\$100.00) for each scheduled day of the trial. The total facility use fee shall cover the period from 12:00 noon of the day preceding the first scheduled day of the trial to 10:00 a.m. of the day following the last scheduled day of the trial. The facility use fee shall be paid for all intermediate days on which for any reason trials are not run but the building or facilities are used or occupied. A fee of twenty-five dollars (\$25.00) per day shall be charged to sporting, educational, or scouting groups for scheduled events utilizing the club house only. No person or group of persons or any other entity shall enter or use in any manner any of the physical facilities located on the Laurinburg Fox Trial or the Sandhills Field Trial grounds without first having obtained specific written approval of such entry or use from an authorized agent of the Wildlife Resources Commission, and no such entry or use of any such facility shall exceed the scope of or continue beyond the specific approval so obtained. The Sandhills Field Trial facilities shall be used only for field trials scheduled with the approval of the Wildlife Resources Commission. No more than 16 days of field trials may be scheduled for occurrence on the Sandhills facilities during any calendar month, and no more than four days may be scheduled during any calendar week; provided, that a field trial requiring more than four days may be scheduled during one week upon reduction of the maximum number of days allowable during some other week so that the monthly maximum of 16 days is not exceeded. Before October 1 of each year, the North Carolina Field Trial Association or other organization desiring use of the Sandhills facilities between October 22 and November 18 and between December 3 and March 31 shall submit its proposed schedule of such use to the Wildlife Resources Commission for its consideration and approval. The use of the Sandhills Field Trial facilities at any time by individuals for training dogs is prohibited; elsewhere on the Sandhills Game Lands dogs may be trained only on Mondays, Wednesdays and Saturdays from October 1 through April 1. Dogs may not be trained or permitted to run unleashed from April 1 through August 15 on any game land located west of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Additionally, on game lands located west of I-95 where special hunts are scheduled for sportsmen participating in the Disabled Sportsman Program, dogs may not be trained or allowed to run unleashed during legal big game hunting hours

on the dates of the special hunts.

(f) Trapping. Subject to the restrictions contained in 15A NCAC 10B .0110, .0302 and .0303, trapping of furbearing animals is permitted on game lands during the applicable open seasons, except that trapping is prohibited:

- (1) on the field trial course of the Sandhills Game Land;
- (2) on the Harmon Den and Sherwood bear sanctuaries in Haywood County;
- (3) in posted "safety zones" located on any game land;
- (4) by the use of multiple sets (with anchors less than 15 feet apart) or bait on the National Forest Lands bounded by the Blue Ridge Parkway on the south, US 276 on the north and east, and NC 215 on the west;
- (5) on Cowan's Ford Waterfowl Refuge in Gaston, Lincoln and Mecklenburg Counties;
- (6) on the Hunting Creek Swamp Waterfowl Refuge;
- (7) on the John's River Waterfowl Refuge in Burke County;
- (8) on the Dupont State Forest Game Lands.

On those areas of state-owned land known collectively as the Roanoke River Wetlands controlled trapping is allowed under a permit system.

(g) Use of Weapons. In addition to zone restrictions described in Paragraph (a) No no person shall hunt or discharge a firearm or bow and arrow from a vehicle, or within 200 150 yards of any Game Lands building or designated Game Lands camping area, or within, into, or across a posted "safety zone" on any game land: within 150 yards of any residence located on or adjacent to game lands. No person shall hunt with or discharge a firearm within, into, or across a posted "restricted zone" on any game land:

(h) Vehicular Traffic. No person shall drive a motorized vehicle on any game land except on those roads constructed, maintained and opened for vehicular travel and those trails posted for vehicular travel, unless such person:

- (1) is a participant in scheduled bird dog field trials held on the Sandhills Game Land; or
- (2) holds a Disabled Access Program Permit as described in (n) below and is abiding by the rules described in that paragraph.

(i) Camping. No person shall camp on any game land except on an area designated by the landowner for camping. Camping and associated equipment in designated Hunter Camping Areas at Butner-Falls of the Neuse, Caswell, and Sandhills Game Lands is limited to Sept. 1- Feb. 29 and Apr. 7 - May 14.

(j) Swimming. Swimming is prohibited in the lakes located on the Sandhills Game Land.

(k) Disabled Sportsman Program. In order to qualify for special hunts for disabled sportsmen listed in 15A NCAC 10D .0003 .0103 an individual shall have in their possession a Disabled Sportsman permit issued by the Commission. In order to qualify for the permit, the applicant shall provide medical certification of one or more of the following disabilities:

- (1) amputation of one or more limbs;
- (2) paralysis of one or more limbs;
- (3) dysfunction of one or more limbs rendering the

person unable to perform the task of grasping and lifting with the hands and arms or unable to walk without mechanical assistance, other than a cane;

- (4) disease or injury or defect confining the person to a wheelchair, walker, or crutches; or
- (5) legal deafness, meaning the inability to hear or understand oral communications with or without assistance of amplification devices.

Participants in the program, except those qualifying by deafness, may operate vehicles on ungated or open-gated roads normally closed to vehicular traffic on Game Lands owned by the Wildlife Resources Commission. Each program participant may be accompanied by one able-bodied companion provided such companion has in his possession the companion permit issued with the Disabled Sportsman permit.

(l) Release of Animals and Fish. It is unlawful to release pen-raised animals or birds, wild animals or birds, or hatchery-raised fish on game lands without prior written authorization. Also, it is unlawful to move wild fish from one stream to another on game lands without prior written authorization.

(m) Non-Highway Licensed Vehicles. It is unlawful to operate ~~motorized~~ motorized, wheeled vehicles not licensed for highway use ~~from May 15 through August 31 on all state-owned Game Lands. Such vehicles may be operated September 1 through May 14 only on those roads constructed, maintained, and open for vehicular travel and those trails posted for vehicular use. All operators of such vehicles shall have, in their possession, a valid Game Lands Use license: on Game Lands except for designated areas on National Forests. People who have obtained a Disabled Access Program permit are exempt from this rule but must comply with the terms of their permit.~~

(n) Disabled Access Program. Permits issued under this program shall be based upon competent medical evidence submitted by the person verifying that a handicap exists that limits physical mobility to the extent that normal utilization of the game lands is not possible without vehicular assistance. Persons meeting this requirement may operate electric wheel chairs, all terrain vehicles, and other passenger vehicles on ungated or open-gated roads otherwise closed to vehicular traffic on game lands owned by the Wildlife Resources Commission and on game lands whose owners have agreed to such use. Those game lands where this special rule applies shall be designated in the game land rules and map book. This special access rule for disabled sportsmen does not permit vehicular access on fields, openings, roads, paths, or trails planted to wildlife food or cover. One able-bodied companion, who is identified by a special card issued to each qualified disabled person, may accompany a disabled person to provide assistance, provided the companion is at all times in visual or verbal contact with the disabled person. The companion may participate in all lawful activities while assisting a disabled person, provided license requirements are met. Any vehicle used by a qualified disabled person for access to game lands under this provision shall prominently display the vehicular access permit issued by the Wildlife Resources Commission in the passenger area of the vehicle. It shall be unlawful for anyone other than those holding

a Disabled Access Permit to hunt, during waterfowl season, within 100 yards of a waterfowl blind designated by the Wildlife Resources Commission as a Disabled Sportsman's hunting blind.

Authority G.S. 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306.

.0103 HUNTING ON GAME LANDS

(a) **Safety Requirements.** No person while hunting on any designated game land shall be under the influence of alcohol or any narcotic drug, or fail to comply with special restrictions enacted by the National Park Service regarding the use of the Blue Ridge Parkway where it adjoins game lands listed in this Rule.

(b) **Traffic Requirements.** No person shall park a vehicle on game lands in such a manner as to block traffic, gates or otherwise prevent vehicles from using any roadway.

(c) **Tree Stands.** It is unlawful to erect or to occupy, for the purpose of hunting, any tree stand or platform attached by nails, screws, bolts or wire to a tree on any game land designated herein. This prohibition shall not apply to lag-screw steps or portable stands that are removed after use with no metal left remaining in or attached to the tree.

(d) **Time and Manner of Taking.** Except where closed to hunting or limited to specific dates by this Chapter, hunting on game lands is permitted during the open season for the game or furbearing species being hunted. On managed waterfowl impoundments, hunters shall not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates, and hunting is prohibited after 1:00 p.m. on such hunting dates; decoys shall not be set out prior to 4:00 a.m. and must be removed by 3:00 p.m. each day. No person shall operate any vessel or vehicle powered by an internal combustion engine on a managed waterfowl impoundment. No person shall attempt to obscure the sex or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal which has been so mutilated. No person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization of the commission or its agent. A decision to grant or deny authorization shall be made based on the best management practices for the wildlife species in question. No person shall take or attempt to take any game birds or game animals attracted to such foods. No live wild animals or wild birds shall be removed from any game land.

(e) Definitions:

- (1) For purposes of this Section "Eastern" season refers to seasons set for those counties or parts of counties listed in 15A NCAC 10B .0203(b)(1)(A); "Central" season refers to seasons set for those counties or parts of counties listed in 15A NCAC 10B .0203(b)(1)(D); "Northwestern" season refers to seasons set for those counties or parts of counties listed in 15A NCAC 10B .0203(b)(1)(B); "Western" season refers to seasons set for those counties or parts of counties listed in 15A NCAC 10B .0203(b)(1)(C).

- (2) For purposes of this Section, "Dove Only Area" refers

to a Game Land on which doves may be taken and dove hunting is limited to Mondays, Wednesdays, Saturdays and to Thanksgiving, Christmas and New Year's Days within the federally-announced season.

- (3) For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays, Saturdays and Thanksgiving, Christmas and New Year's Days. These "open days" also apply to either-sex hunting seasons listed under each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight on Saturdays.

- (4) For purposes of this Section, "Six Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons, except that:

- (A) Bears shall not be taken on lands designated and posted as bear sanctuaries;

- (B) Wild boar shall not be taken with the use of dogs on such bear sanctuaries, and wild boar may be hunted only during the bow and arrow seasons, the muzzle-loading deer season and the regular gun season on male deer on bear sanctuaries;

- (C) On game lands open to deer hunting located in or west of the counties of Rockingham, Guilford, Randolph, Montgomery and Anson, the following rules apply to the use of dogs during the regular season for hunting deer with guns:

- (i) Except for the counties of Cherokee, Clay, Graham, Jackson, Macon, Madison, Polk, and Swain, game birds may be hunted with dogs.

- (ii) In the counties of Cherokee, Clay, Graham, Jackson, Macon, Madison, Polk, and Swain, small game in season may be hunted with dogs on all game lands except on bear sanctuaries.

- (D) On bear sanctuaries in and west of Madison, Buncombe, Henderson and Polk counties dogs shall not be trained or allowed to run unleashed between March 1 and the Monday on or nearest October 15;

(f) Game Lands Seasons and Other Restrictions:

- (1) Alcoa Game Land in Davidson, Davie, Montgomery, Rowan and Stanly counties

- (A) Six Days per Week Area

- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season: Season in that portion in Montgomery county and deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season in those portions in Davie Davidson, Rowan and Stanly counties.

- (2) Angola Bay Game Land in Duplin and Pender counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (3) Anson Game Land in Anson County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (4) Bachelor Bay Game Land in Bertie and Washington counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (5) Bertie County Game Land in Bertie County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (6) ~~Bladen County Game Land in Bladen County~~
 - ~~(A) Six Days per Week Area~~
 - ~~(B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.~~
 - ~~(C) A special permit is required for hunting on the Suggs Mill Pond portion of the Bladen County Game Lands.~~
- (6) Bladen Lakes State Forest Game Land in Bladen County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season. Deer of either sex may also be taken the Saturday preceding Eastern bow season with bow and arrow and the Friday preceding the Eastern muzzle-loading season with any legal weapon (with weapons exceptions described in this Paragraph) by participants in the Disabled Sportsman Program.
 - (C) Handguns shall not be carried and, except for muzzle-loaders, rifles larger than .22 caliber rimfire shall not be used or possessed.
 - (D) On the Breece Tract and the Singletary Tract deer and bear may be taken only by still hunting.
 - (E) Wild turkey hunting is by permit only.
- (7) Brushy Mountains Game Land in Caldwell County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
- (8) Bullard and Branch Hunting Preserve Game Lands in Robeson County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
- (9) Butner - Falls of Neuse Game Land in Durham, Granville and Wake counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Waterfowl may be taken only on Tuesdays, Thursdays and Saturdays, Christmas and New Year's Days, and on the opening and closing days of the applicable waterfowl seasons. Waterfowl shall not be taken after 1:00 p.m. On the posted waterfowl impoundments a special permit is required for all waterfowl hunting after November 1.
 - (D) Horseback riding, including all equine species, is prohibited.
 - (E) Target shooting is prohibited
 - (F) Wild turkey hunting is by permit only.
- (10) Cape Fear Game Land in Pender County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (C) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.
- (11) Caswell Game Land in Caswell County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season. Deer of either sex may also be taken the Friday preceding the Central muzzle-loading season by participants in the Disabled Sportsman Program.
 - (C) Horseback riding is allowed only during June, July, and August and on Sundays during the remainder of the year except during open turkey and deer seasons. Horseback riding is allowed only on roads opened to vehicular traffic. Participants must obtain a game lands license prior to engaging in such activity.
- (12) Caswell Farm Game Land in Lenoir County
 - (A) Dove-Only Area
- (13) Catawba Game Land in Catawba and Iredell counties
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
 - (C) Deer may be taken with bow and arrow only from the tract known as Molly's Backbone.
- (14) Chatham Game Land in Chatham County and Harnett counties

- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (15) Cherokee Game Land in Ashe County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
- (16) Cherry Farm Game Land in Wayne County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) The use of centerfire rifles and handguns is prohibited.
- (17) Chowan Game Land in Chowan County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season. In addition, one antlerless deer may be taken anytime during the Deer with Visible Antlers season.
- (18) Chowan Swamp Game Land in Gates County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (19) Columbus County Game Land in Columbus County.
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (20) Croatan Game Land in Carteret, Craven and Jones counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Waterfowl may be taken only on Mondays, Wednesdays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the opening and closing days of the applicable waterfowl seasons.
- (21) Currituck Banks Game Land in Currituck County
 - (A) Six Days per Week Area
 - (B) Permanent waterfowl blinds in Currituck Sound adjacent to these game lands shall be hunted by permit only after November 1.
 - (C) Licensed hunting guides may accompany the permitted individual or party provided the guides do not possess or use a firearm.
 - (D) The boundary of the Game Land shall extend
- 5 yards from the edge of the marsh or shoreline.
- (22) Dare Game Land in Dare County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) No hunting on posted parts of bombing range.
 - (D) The use and training of dogs is prohibited from March 1 through June 30.
- (23) Dupont State Forest Game Lands in Henderson and Transylvania counties
 - (A) Hunting is by Permit only.
 - (B) The training and use of dogs for hunting except during scheduled small game permit hunts for squirrel, grouse, rabbit, or quail is prohibited.
 - (C) Participants of the Disabled Sportsman Program may also take deer of either sex with any legal weapon on the Saturday prior to the first segment of the Western bow and arrow season.
- (24) Dysartsville Game Land in McDowell and Rutherford counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
- (25) Elk Knob Game Land in Ashe and Watauga counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
- (26) Gardner-Webb Game Land in Cleveland County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
- (27) Goose Creek Game Land in Beaufort and Pamlico counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days ~~the first six open days and the last six open days~~ of the applicable Deer With Visible Antlers Season.
 - (C) On posted waterfowl impoundments waterfowl may be taken only on Mondays, Wednesdays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the opening and closing days of the applicable waterfowl seasons. After November 1, on the Pamlico Point, Campbell Creek, Hunting Creek and Spring Creek impoundments, a special permit is required for hunting on opening and closing days of the duck seasons, Saturdays of the duck seasons, and on Thanksgiving and New Year's day.

- (28) Green River Game Land in Henderson, Polk and Rutherford counties
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season in that portion in Rutherford County; and deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season in that portion in Polk and Henderson counties.
 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15. This Rule includes all equine species.
- (29) Green Swamp Game Land in Brunswick County
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (30) Gull Rock Game Land in Hyde County
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 (C) On the posted waterfowl impoundments of Gull Rock Game Land hunting of any species of wildlife is limited to Mondays, Wednesdays, Saturdays; Thanksgiving, Christmas, and New Year's Days; and the opening and closing days of the applicable waterfowl seasons.
- (31) Hickorynut Mountain Game Land in McDowell County
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
- (32) Hofmann Forest Game Land in Jones and Onslow counties
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (33) Holly Shelter Game Land in Pender County
 (A) Three Days per Week Area
 (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season. Deer of either sex may also be taken the Friday preceding the Eastern muzzle-loading season with any legal weapon and the Saturday preceding Eastern bow season with bow and arrow by participants in the Disabled Sportsman Program
 (C) Waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons regardless of the day of the week on which they occur.
- (34) Huntsville Community Farms Game Land in Yadkin County
 (A) Three Days per Week Area
 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
- (35) Hyco Game land in Person County
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (36) Jordan Game Land in Chatham, Durham, Orange and Wake counties
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 (C) Waterfowl may be taken only on Mondays, Wednesdays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the opening and closing days of the applicable waterfowl seasons.
 (D) Horseback riding, including all equine species, is prohibited.
 (E) Target shooting is prohibited.
 (F) Wild turkey hunting is by permit only.
- (37) Lantern Acres Game Land in Tyrrell and Washington counties
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season.
- (38) Lee Game Land in Lee County
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (39) Linwood Game Land in Davidson County
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- ~~(40) Moore Game Land in Moore County~~
~~(A) Six Days per Week Area~~
~~(B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.~~
- (40) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain and Transylvania counties
 (A) Six Days per Week Area
 (B) Deer of either sex may be taken the last open

- day of the applicable Deer With Visible Antlers Season in that portion located in Transylvania County.
- (C) Raccoon and opossum may be hunted only from sunset Friday until sunrise on Saturday and from sunset until 12:00 midnight on Saturday on Fires Creek Bear Sanctuary in Clay County and in that part of Cherokee County north of US 64 and NC 294, east of Persimmon Creek and Hiwassee Lake, south of Hiwassee Lake and west of Nottely River; in the same part of Cherokee County dog training is prohibited from March 1 to the Monday on or nearest October 15.
- (D) ~~It is unlawful to train dogs or allow dogs to run unleashed on any game land in Graham County between March 1 and the Monday on or nearest October 15.~~
- (41) Neuse River Game Land in Craven County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (42) New Lake Game Land in Hyde County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (43) North River Game Land in Currituck County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. **In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season.**
- (C) The boundary of the Game Land shall extend 5 yards from the edge of the marsh or shoreline.
- (44) Northwest River Marsh Game Land in Currituck County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. **In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season.**
- (C) The boundary of the Game Land shall extend 5 yards from the edge of the marsh or shoreline.
- (45) Pee Dee River Game Land in Anson, Montgomery, Richmond and Stanly counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (C) Use of centerfire rifles prohibited in that portion in Anson and Richmond counties North of US-74.
- (46) Perkins Game Land in Davie County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
- (47) Person Game Land in Person County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (C) Waterfowl may be taken only on Tuesdays, Thursdays and Saturdays, Christmas and New Year's Days, and on the opening and closing days of the applicable waterfowl seasons.
- (48) Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga and Yancey counties
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season except on that portion of Avery County north of the Blue Ridge Parkway in Avery and Yancey counties and that portion in Haywood County encompassed by US 276 on the north, US 74 on the west, and the Blue Ridge Parkway on the south and east.
- (C) Harmon Den and Sherwood Bear Sanctuaries in Haywood County are closed to hunting raccoon, opossum and wildcat. Training raccoon and opossum dogs is prohibited from March 1 to the Monday on or nearest October 15 in that part of Madison County north of the French Broad River, south of US 25-70 and west of SR 1319.
- (49) Pungo River Game Land in Hyde County
- (A) Six Days per Week Area
- (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
- (50) Roanoke River Wetlands in Bertie, Halifax and Martin counties
- (A) Hunting is by Permit only. Vehicles are prohibited on roads or trails except those operated on official Commission business or by permit holders.
- (51) Robeson Game Land in Robeson County
- (A) Three Days per Week Area
- (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

- (52) Sampson Game Land in Sampson County
- (A) Three Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (53) Sandhills Game Land in Moore, Richmond and Scotland counties
- (A) Three Days per Week Area
 - (B) The Deer With Visible Antlers season for deer consists of the open hunting dates from the second Monday before Thanksgiving through the third Saturday after Thanksgiving except on the field trial grounds where the gun season is from the second Monday before Thanksgiving through the Saturday following Thanksgiving. Deer may be taken with bow and arrow on all open hunting dates during the bow and arrow season, as well as during the regular gun season. Deer may be taken with muzzle-loading firearms on Monday, Wednesday and Saturday of the second week before Thanksgiving week, and during the Deer With Visible Antlers season.
 - (C) Gun either-sex deer hunting is by permit only the Thursday and Friday before Thanksgiving Week: Deer of either sex may be taken during the first three open days of the Deer With Visible Antlers season. For participants in the Disabled Sportsman Program, either-sex deer hunting with any legal weapon is permitted on all areas the Thursday and Friday prior to the muzzle-loading season described in the preceding paragraph. Except for the deer seasons indicated in the preceding paragraph and the ~~managed either-sex permit Disabled Sportsman Program~~ hunts, the field trial grounds are closed to all hunting during the period October 22 to March 31.
 - (D) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons
 - (E) Wild turkey hunting is by permit only.
 - (F) Dove hunting on the field trial grounds will be prohibited from the second Sunday in September through the remainder of the hunting season.
 - (G) ~~No all terrain vehicles shall be used on the J. Robert Gordon Field Trial Area except by licensed hunters during deer and dove open seasons pursuant to 15A NCAC 10D .0102(m).~~
- (54) Sauratown Plantation Game Land in Stokes County
- (A) Three Days per Week Area
 - (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season.
- (55) Scuppernong Game Land in Tyrrell and Washington counties
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days, open days the week of Thanksgiving, and the last six open days of the applicable Deer With Visible Antlers Season. In addition, one antlerless deer may be taken anytime during the Deer With Visible Antlers season.
- (56) Shearon Harris Game Land in Chatham and Wake counties
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Waterfowl may be taken only on Tuesdays, Fridays, Saturdays; on Thanksgiving, Christmas and New Year's Days; and on the opening and closing days of the applicable waterfowl seasons.
 - (D) The use or construction of permanent hunting blinds is prohibited.
 - (E) Wild Turkey hunting is by permit only.
- (57) South Mountains Game Land in Burke, Cleveland, McDowell and Rutherford counties
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15. This Rule includes all equine species.
- (58) Suggs Mill Pond Game Land in Bladen County; Hunting is by Permit only.
- (59) Sutton Lake Game Land in New Hanover County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15. This Rule includes all equine species.
- (60) Three Top Mountain Game Land in Ashe County
- (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.
 - (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from

September 1 through May 15. This Rule includes all equine species.

- (61) Thurmond Chatham Game Land in Wilkes County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season. Participants of the Disabled Sportsman Program Deer may also take either-sex deer with bow and arrow on the Saturday prior to Northwestern bow and arrow season.
 - (C) ~~Horseback riding is only allowed during June, July, and August and on Sundays during the remainder of the year except during open turkey and deer seasons. Horseback riding is allowed only on roads opened to vehicular traffic. Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15. This Rule includes all equine species.~~ Participants must obtain a game lands license prior to horseback riding on this area.
- (62) Toxaway Game Land in Transylvania County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible Antlers Season. Participants of the Disabled Sportsman Program may also take deer of either sex with any legal weapon on the Saturday prior to the first segment of the Western bow and arrow season.
 - (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15. This Rule includes all equine species.
- (63) Uwharrie Game Land in Davidson, Montgomery and Randolph counties
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the first six open days and the last open six days of the applicable Deer With Visible Antlers Season.
- (64) Vance Game Land in Vance County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (C) The use of dogs, centerfire rifles and handguns for hunting deer is prohibited on the Nutbush Peninsula tract.
- (65) White Oak River Impoundment Game Land in Onslow County
 - (A) Three Days per Week Area
 - (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
 - (C) Waterfowl may be taken on the opening and

closing days of the applicable waterfowl seasons regardless of the day of the week on which they occur.

- (66) Yadkin Game Land in Caldwell County
 - (A) Six Days per Week Area
 - (B) Deer of either sex may be taken the last six open days of the applicable Deer With Visible Antlers Season.

(g) On permitted type hunts deer of either sex may be taken on the hunt dates indicated on the permit. Completed applications must be received by the Commission not later than the first day of September next preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the hunt, and shall be nontransferable. A hunter making a kill must tag the deer validate the kill and report the kill to a wildlife cooperator agent or by phone.

(h) The following game lands and refuges shall be closed to all hunting except to those individuals who have obtained a valid and current permit from the Wildlife Resources Commission:

Bertie, Halifax and Martin counties--Roanoke River Wetlands;
 Bertie County--Roanoke River National Wildlife Refuge.
Bladen County--Suggs Mill Pond Game Lands
 Burke County--John's River Waterfowl Refuge
 Dare County--Dare Game Lands (Those parts of bombing range posted against hunting)
 Davie--Hunting Creek Swamp Waterfowl Refuge
 Gaston, Lincoln and Mecklenburg counties--Cowan's Ford Waterfowl Refuge.
 Henderson and Transylvania counties--Dupont State Forest Game Lands

Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-305.

.0104 FISHING ON GAME LANDS

(a) Generally. Except as otherwise indicated herein, fishing on game lands which are open to fishing shall be in accordance with the statewide rules. All game lands are open to public fishing except restocked ponds when posted against fishing, Hunting Creek Swamp Waterfowl Refuge, Grogan Creek in Transylvania County, and in the case of private ponds where fishing may be prohibited by the owners thereof. No trotline or set-hook or any net, trap, gig, bow and arrow or other special fishing device of a type mentioned in 15A NCAC 10C .0403 may be used in any of the impounded waters located on the Sandhills Game Land.

(b) Designated Public Mountain Trout Waters

- (1) Fishing Hours. It is unlawful to fish in designated public mountain trout waters on any game land from one-half hour after sunset to one-half hour before sunrise, except in Hatchery Supported Trout waters as stated in 15A NCAC 10C .0305(a), Delayed Harvest waters as stated in 15A NCAC 10C .0205(a)(5), game lands sections of the Nantahala River located

downstream from the Swain County line, and in the sections of Green River in Polk County located on Green River Game Lands from Fish-Stop-Falls Access Area downstream Cove Creek downstream to Brights Creek.

- (2) Location. All waters located on the game lands listed in this Subparagraph are designated public mountain trout waters except Cherokee Lake, Grogan Creek, and Big Laurel Creek downstream from the US 25-70 bridge to the French Broad River, Pigeon River downstream of Waterville Reservoir to Tennessee line, Nolichucky River, and Mill Ridge Pond and Cheoah River downstream of Santeetlah Reservoir.

Dupont State Forest Game Lands in Henderson and Transylvania counties

Three Top Mountain Game Land, Ashe County
Nantahala National Forest Game Lands in the Counties of Cherokee, Clay, Graham, Jackson, Macon, Swain and Transylvania

Pisgah National Forest Game Lands in the Counties of Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania and Yancey
Thurmond Chatham Game Land in Wilkes County

Toxaway Game Land in Transylvania County

- (3) All designated public mountain trout waters located on the game lands listed in Subparagraph (b)(2) of this Rule are wild trout waters unless classified otherwise. [See 15A NCAC 10C .0205(a)(1)].

(c) Ponds. In all game lands ponds, it is unlawful to take channel, white or blue catfish (forked tail catfish) by means other than hook and line and the daily creel limit for forked tail catfish is six fish in aggregate.

Authority G.S. 113-134; 113-264; 113-272; 113-292; 113-305.

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Wildlife Resources Commission intends to amend the rule cited as 15A NCAC 10F .0353. Notice of Rule-making Proceedings was published in the Register on July 15, 1999.

Proposed Effective Date: July 1, 2000

A Public Hearing will be conducted at 10:00 a.m. on January 6, 2000 at the Archdale Building, Room 332, 512 N. Salisbury Street, Raleigh, NC 27603.

Reason for Proposed Action: The Mountain Island Lake Marine Commission initiated the no-wake zones pursuant to G.S. 75A-15, to protect public safety in the area by restricting vessel speed. The Wildlife Resources Commission may adopt this as a temporary rule pursuant to G.S. 150B-21.1(a1)

following the abbreviated notice as indicated in the Notice of Rule-making Proceedings or following the public hearing and public comment period as indicated in this notice.

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing. In addition, the record of hearing will be open for receipt of written comments through January 14, 2000. Such written comments must be delivered or mailed to the NC Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

Fiscal Impact

State	Local	Sub.	None
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CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

.0353 MOUNTAIN ISLAND LAKE: MECKLENBURG, GASTON AND LINCOLN COUNTIES

(a) Regulated Area. This Rule applies to Mountain Island Lake which is located in Mecklenburg, Gaston and Lincoln counties, the cove of Mountain Island Lake lying north of and adjacent to the Latta Plantation Park and adjacent to the Mecklenburg County Park and Duke Power Company properties:

- (1) Latta Plantation Park - The cove lying north of and adjacent to the Latta Plantation Park and adjacent to the Mecklenburg County Park and Duke Power Company properties.
- (2) Duck Cove - The waters of Duck Cove as delineated by appropriate markers. Duck Cove is adjacent to Mecklenburg County's Cowan's Ford Wildlife Refuge and west of the portion of Neck Road that runs through Cowan's Ford Wildlife Refuge.
- (3) Nance Cove
 - (A) The waters of the southern portion of Nance Cove extending north from the back of the cove, at or near Shuffletown Landing, up the cove toward the main channel of Mountain Island Lake, extending to a point that is roughly even with the boundary line between Lots 166 and 167 in the Overlook subdivision, which lots are just north of the Overlook Swim & Tennis Club, and where the cove is approximately Three Hundred and Sixty-Eight feet wide.
 - (B) The waters of the western arm or sub-cove of Nance Cove, which lies west of Shadow Cove Lane and the northern-most portion of Nance

Cove Road and east of Haymarket Road.

- (4) North Carolina Highway 16 Bridge - An area extending approximately 50 yards in all directions from the NC Highway 16 Bridge also known as the Rozelles Ferry Bridge.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within the regulated area described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. ~~The Board of Commissioners of Mecklenburg County~~ Each of the boards of Commissioners of the above-named counties is designated a suitable agency for placement and maintenance of markers implementing this Rule: Rule for regulated areas within their territorial jurisdiction in accordance with the Uniform System.

Authority G.S. 75A-3; 75A-15.

CHAPTER 6 - ELEMENTARY AND SECONDARY EDUCATION

SUBCHAPTER 6C - PERSONNEL

SECTION .0100 - GENERAL PROVISIONS

.0102 NATURE OF LICENSURE

(a) The SBE exercises shall exercise its certification licensing authority through the department in two general areas:

- (1) The SBE considers shall consider for approval the teacher education programs of IHEs which that belong to the SACS and which that meet the requirements of Rules .0202-.0206 Rule .0202 of this Subchapter.
- (2) The SBE awards certification shall award licenses to individuals who desire to obtain employment as a professional public school employee employees and who meet the requirements of Section .0300 of this Subchapter.

(b) The SBE bases shall base its approval on the requirements which that are in effect at the time the IHE or the individual applies for approval.

Authority N.C. Constitution, Article IX, Sec. 5.

.0103 STATE BOARD OF EDUCATION ACTION

(a) The SBE awards ~~or denies~~ shall award or deny approval to teacher education programs by the process described in 16 NCAC 6C .0202.

(b) The SBE acts shall act on personnel certification license requests according to the process contained in 16 NCAC 6C .0301.

Authority G.S. 115C-284(c); 115C-296; 115C-315(d).

SECTION .0200 - TEACHER EDUCATION

.0202 INTERSCHOLASTIC ATHLETICS

(a) Only students in grades 7-12 may participate in interscholastic athletic competition. In order to qualify for public school participation, a student must meet the following requirements:

- (1) The student must meet the residence criteria of G.S. 115C-366(a). The student may participate only at the school to which the student is assigned by the LEA, or, if over the age requirements, the school to which the student would be assigned at the next higher grade level.
- (2) The student must meet age requirements at each grade level to participate. The principal must have evidence of the legal birth date of the student. A student who is ineligible to participate at one grade level due to age is eligible to participate at the next higher grade level only. However, no student may participate at the high school level for a period lasting more than eight

TITLE 16 - DEPARTMENT OF PUBLIC EDUCATION

Notice is hereby given in accordance with G.S. 150B-21.2 that the State Board of Education intends to adopt the rule cited as 16 NCAC 6G .0502; amend the rules cited as 16 NCAC 6C .0102-.0103, .0202, .0207, .0301-.0309, .0311-.0313; 6E .0202; 6H .0103, .0106; and repeal the rules cited as 16 NCAC 6C .0205-.0206. Notice of Rule-making Proceedings was published in the Register on September 15, 1999.

Proposed Effective Date: August 1, 2000

A Public Hearing will be conducted from 9:30 a.m. to 2:00 p.m. on January 8, 2000 at the Education Building, Room 150, Raleigh, NC..

Reason for Proposed Action: The State Board of Education proposes to rename to the credential it issues to authorize professional practice as "license" rather than "certificate." The Board also proposes to amend various rules in 16 NCAC 6C .0300 to comply with the provisions of S.L. 1997-221, to clarify in 16 NCAC 6E .0202 the academic requirements for middle school athletic participation, to define in 16 NCAC 6G .0502 the functions of the Charter Schools Advisory Committee, and to amend rules in Subchapter 6H to be consistent with provisions of the federal Individuals with Disabilities Education Act.

Comment Procedures: Written or oral comments may be presented at the hearing. Written comments may also be submitted to the rule-making coordinator by e-mail (hwilson@dpi.state.nc.us), by regular mail (301 N. Wilmington Street, Raleigh, NC 27601-2825), or by facsimile at (919) 715-0764, no later than January 14, 2000.

Fiscal Impact

State Local Sub. None

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consecutive semesters, beginning with the student's first entry into grade nine or participation on a high school team, whichever occurs first.

- (A) A student is eligible to participate in high school athletic contests during a school year if the student does not reach the 19th birthday on or before October 16 of that school year.
 - (B) A student shall not participate on a ninth grade junior high school team if the student becomes 16 years of age on or before October 16 of that school year.
 - (C) A student shall not participate on a seventh or eighth grade team if the student becomes 15 years of age on or before October 16 of that school year.
- (3) In grades 9-12, the student must pass at least seventy-five percent (75%) of the maximum of possible courses each semester and meet promotion standards established by the LEA. In grades 7 and 8, the student must ~~meet state and local promotion standards and maintain passing grades each semester. pass at least one less course than the number of required core courses each semester and meet promotion standards established by the LEA.~~ Regardless of the school organization pattern, a student who is promoted from the eighth grade to the ninth grade automatically meets the courses passed requirement for the first semester of the ninth grade.
- (4) The student must receive a medical examination each year (365 days) by a duly licensed physician, nurse practitioner, or physician assistant, subject to the provisions of G.S. 90-9, 90-18.1, and 90-18.2.
- (5) The student may not participate after any of the following:
- (A) graduation;
 - (B) becoming eligible to graduate;
 - (C) signing a professional athletic contract;
 - (D) receiving remuneration as a participant in an athletic contest; or
 - (E) participating on an all-star team or in an all-star game that is not sanctioned by the association of which the student's school is a member. The student is ineligible only for the specific sport involved.

(b) Each principal of a school which participates in interscholastic athletics must certify a list of eligible students for each sport.

(c) Any student-athlete, coach or school official in grades 7-12 who is ejected from any athletic contest shall be penalized as follows:

- (1) for the first offense, the person shall be reprimanded and suspended for the next game at that level of play (varsity or junior varsity) and for any intervening games at either level;
- (2) for a second offense, the person shall be placed on probation and suspended for the next two games at

that level of play (varsity or junior varsity) and for any intervening games at either level.

- (3) for a third offense, the person shall be suspended for one calendar year.
- (4) A coach who is suspended at any level of grades 7-12 (middle school, junior high or high school) may not coach in any other grade level in grades 7-12 during the period of suspension.
- (5) Penalties are cumulative from sport to sport and from sport season to sport season. If no member of the school's coaching staff is present to assume an ejected coach's duties, the contest shall be terminated by a forfeit.

(d) LEAs may allow their schools to belong to the North Carolina High School Athletic Association (NCHSAA), which has established as a minimum the rules adopted by the SBE. The NCHSAA may waive any eligibility requirement contained in this Rule, except the age requirement, if it finds that the rule fails to accomplish its purpose or it works an undue hardship when applied to a particular student. The NCHSAA may enforce penalties for the violation of this Rule at the high school level.

(e) The LEA which has jurisdiction over the school may impose additional penalties. LEAs or conferences may adopt and impose penalties at the middle and junior high school levels.

Authority G.S. 115C-47(4);

.0205 STATE BOARD REVIEW STANDARDS AND APPROVAL ACTIONS

(a) Each HHE seeking approval must present documentation for each specialty area that:

- (1) the state-approved professional studies guidelines for all-certificated-school personnel are adequately addressed;
- (2) the state-approved professional studies competencies common to all-certificated-school personnel are adequately addressed;
- (3) candidates for admission to certification preparation programs meet minimum score requirements adopted by the SBE on Core Batteries I (Communication Skills) and II (General Knowledge) of the NTE before formal admission can occur. Undergraduate degree-seeking students do not complete more than one-half of the professional studies sequence (excluding student-teaching/internship) before being formally admitted into the certification preparation program;
- (4) sequentially-planned-field-experiences-for undergraduate degree-seeking students begin early in the student's program and culminate in a continuous and extended minimum ten-week period of student teaching in the area in which the student seeks certification. All field experiences are supervised and formal evaluations involving faculty, cooperating teachers and students occur as appropriate;
- (5) preparation for entry certification at the advanced level includes supervised internship or field

- experiences appropriate to the role(s) for which students are being prepared. These experiences are the basis for applying theory to practice, developing competencies at a high proficiency level, and evaluating the candidate's performance.
- (6) the goals and objectives of the specialty studies are clearly stated in writing, are readily accessible to faculty, students and other consumers and reflect a clear conception of the role(s) in the public schools for which students are being prepared.
 - (7) an appropriate balance among general studies, specialty area studies and professional studies exists at the undergraduate level to assure a well-rounded education for students.
 - (8) the program of specialty studies complies with state-approved guidelines for the certification area in which the student is being prepared.
 - (9) the specialty studies complies with state-approved competencies for the certification area in which the student is being prepared.
 - (10) master's, sixth-year (e.g., CAS, Ed.S.) and doctoral curricula are clearly delineated and differentiated from one another and from the undergraduate curriculum.
 - (11) requirements for certification-only students are clearly described and comparable to those for degree-seeking students.
 - (12) each faculty member teaching in the specialty area demonstrates competence in the area(s) of assignment.
 - (13) one appropriately specialized faculty member full-time to the institution is assigned major responsibility for teaching in and coordinating each specialty area offered. To ensure diversity, there must be a sufficient number of additional faculty, appropriately specialized, to deliver the level(s) offered; e.g., undergraduate, master's, specialist. Each advanced degree program that leads to the doctorate has at least three full-time faculty who have earned the doctorate in the field of specialization for which the degree is offered.
 - (14) among the credentials of the faculty delivering (e.g., teaching, directing, coordinating) the specialty area, there is evidence of recent, substantive involvement with public school students, staff members or programs.
 - (15) among the credentials of adjunct/part-time faculty delivering the specialty area there is evidence of recent, substantive involvement with the institution via students, other faculty or program development.
 - (16) specialized books and periodicals, current curriculum guides, textbooks and courses of study adopted by local school systems and the SBE, instructional media, equipment and other forms of technology, testing materials and supplies for the production of teacher-made materials and library resources for the specialty studies are available and adequate in number to serve the student population.
 - (17) instructional resources for the specialty area are organized for accessibility and there is evidence of use by both students and faculty.
 - (18) appropriate and sufficiently-equipped classroom space is provided to meet the needs of each specialty area.
 - (19) adequate facilities, including sufficient office space, are provided to serve the needs of staff and faculty, to counsel students, and to work effectively with local school personnel.
 - (20) an annual review of the specialty area is conducted and the resulting data are applied, as appropriate, for program improvement.
- (b) All IHEs with existing teacher education programs must have an NCATE/State review completed by December 31, 1992. Students who have been formally admitted before June 30, 1993 into a program that leads to certification may complete that program and be eligible to be recommended for certification on the condition that they complete such programs no later than June 30, 1995. After December 31, 1992, IHEs seeking initial approval for teacher education must be reviewed by NCATE/State to be eligible for SBE approval.
- (c) The SBE shall receive and consider recommendations for approval action on an IHE from its state evaluation committee on teacher education. The SBE shall accept any comments or additional information submitted by the IHE before making its decision under this Rule. The SBE shall render separate approval decisions at all levels appropriate to an IHE and its specialty area programs as follows:
- (1) Full approval. This status indicates that the IHE teacher education and specialty area programs at all levels are judged to be fully qualified to produce effective teachers for the public schools. The SBE grants approval for a five-year period. The SBE or the IHE may call for an interim on-site review at any time during the five year period if conditions warrant that action.
 - (2) Full approval with stipulation(s). This status specifies minor exceptions that the IHE must address within one year. The exceptions will be limited to those that can be easily corrected and verified in a written report or by a small on-site State visitation team. The SBE will grant full approval if the IHE corrects the exceptions within the specified time. If the IHE does not correct the exceptions within the specified time, the SBE will place the IHE on provisional status. Approval for a five-year period begins with the date of the initial action by the SBE.
 - (3) Provisional approval. This status specifies critical deficiencies that the IHE must address within three years. The SBE may provisionally approve all programs at the IHE or individual specialty area programs or levels. The IHE must:
 - (A) submit to the SBE an annual written report of its actions taken to correct the deficiencies;
 - (B) be visited annually by a consultant from the division of teacher education services of the

Department, who monitors the IHE's progress; and

- (C) be reevaluated for compliance by an on-site State visitation team.

The SBE will grant full approval or full approval with stipulations if the IHE corrects the deficiencies within the specified time. If the IHE does not correct the deficiencies within the specified time, the SBE will deny approval. Approval for a five-year period begins with the date of the initial action by the SBE.

- (4) Denial of approval. This status occurs when an IHE or one or more of its specialty areas or levels are judged to be unqualified to produce effective teachers for the public schools. After the IHE receives notice of the denial, no students completing the program will be eligible for certification except those who were formally admitted to the program before the IHE received notice of the denial. An IHE must wait one year before beginning the process of seeking approval.

Authority N.C. Constitution, Article IX, Sec. 5; G.S. 115C-12(9)a.; 115C-296(b).

.0206 CONSORTIUM-BASED PROGRAMS AND INNOVATIVE/EXPERIMENTAL PROGRAMS

(a) A consortium-based teacher education program is an alternative to the regular approved program which involves IHEs, public schools, professional groups and the Department in the planning and implementation of programs.

(b) The consortium shall receive approval by the SBE before it implements an alternative program. The application process described in Rule .0202 applies to alternative programs. The Department shall issue a certificate to all graduates of these approved programs who are recommended by the consortium and who otherwise meet certification requirements.

(c) When the Department receives a proposal to establish an alternative program, it shall review the proposal, including making on-site visits with agencies as required. The State Evaluation Committee on Teacher Education shall consider staff recommendations and make its own recommendations to the SBE for approval.

(d) The SBE shall approve programs which meet the following standards:

- (1) The program is planned, developed, implemented and evaluated by a consortium of agencies, including IHEs, local school administrative units, professional groups and the SBE.
- (2) The program is appropriately organized and administered. Consortium-based programs are developed and implemented according to an established managerial structure which describes activities and relationships.
- (3) The program has sufficient and appropriate supportive human and physical resources.
- (4) The consortium develops entry requirements and

levels of competency expected.

- (5) The program addresses the needs of the students.
- (6) The program includes exit levels of competence, a procedure for recommending certification, and a follow-up process.

(e) The SBE may grant approval to an IHE to develop a new innovative or experimental teacher education program. The SBE shall consider for approval such a program based on documentation that the proposed innovation is sound and has the potential for strengthening the preparation process for professional personnel. The SBE will evaluate the program annually based on a written report submitted to it by the IHE or by an on-site State visitation team to assure that the IHE is producing prospective teachers who can function effectively in the public schools of the State.

Authority N.C. Constitution, Article IX, Sec. 5; G.S. 115C-12(9)a.

.0207 PROSPECTIVE TEACHER SCHOLARSHIP LOANS

(a) Recipients of prospective teacher scholarship loans who attend a college or university will receive up to \$2,000 the amount specified in G.S. 115C-471(1) per year to pay for courses, fees and books. Recipients of prospective teacher scholarship loans who attend a technical/community college will receive \$900 per year to pay for courses, fees and books.

(b) Scholarship loans are shall be available only to legal residents of North Carolina. To be considered a legal resident, a person must have lived in the state for at least 12 months before applying for the loan.

(c) Persons who are in default on another student loan will not be eligible for a scholarship loan under this Rule.

(d) Scholarship loan recipients must enroll in and attend a public or private college or university in this state with an approved teacher education program, or a technical/community college in this state with a program of study that leads to teacher licensure.

(e) A recipient's scholarship loan may be continued during periods of study abroad only if the recipient remains enrolled in a North Carolina college or university and receives credit toward completion of requirements for the work completed while abroad.

(f) Scholarship loans may not be used to obtain credits through correspondence courses or extension courses even if the recipient uses less than the maximum amount as an undergraduate.

(g) The department may cancel a loan if the recipient:

- (1) willfully reports requested information that is erroneous or incomplete;
- (2) fails to complete and return requested forms by the required dates;
- (3) fails to pursue a full-time program in teacher education or withdraws permanently from college;
- (4) is not admitted to the college's teacher education program;

- (5) is convicted of a felony or other crime involving moral turpitude, possession or use of controlled substances, or other grounds for which a teaching certificate may be revoked under 16 NCAC 6C .0312;
 - (6) does not maintain a 2.5 cumulative average for the freshman year and a 3.0 cumulative average for each of the following years, based upon a 4.0 grading scale; or
 - (7) fails to keep the department informed of any address change or change in status as a prospective teacher.
- (h) Upon cancellation or default, the entire principal balance, together with accrued interest, ~~becomes~~ shall become immediately due and payable.
- (i) Once a recipient receives a license based upon the entry-level degree, the amount of the loan and accrued interest must be repaid by either employment as a regular full-time teacher or by making cash payments. Recipients who do not begin teaching in the school year following their qualifying for licensure must begin repayment upon their failure to begin teaching. Repayment shall be made in full or in equal monthly payments as determined by the Department, contingent upon the number of notes received.
- (j) For purposes of credit for teaching, "full school year" means shall mean a minimum of six calendar months within one school year. Service as a tutor, a substitute teacher, a part-time teacher or a teacher in a non-public school does shall not qualify as service credit for loan repayment.

Authority G.S. 115C-471.

SECTION .0300 - CERTIFICATION

.0301 GENERAL INFORMATION

- (a) Any person who desires to obtain employment from a LEA in a professional position shall apply for and obtain certification a license from the department. Each applicant shall file an application ~~in the form prescribed by the department,~~ together with an official transcript(s), a recommendation by a designated official of the approved IHE where preparation was completed, and the certification licensure fee ~~in an amount which the SBE determines annually: specified in G.S. 115C-296(a2).~~
- (b) The department ~~evaluates~~ shall evaluate each application and its supporting documentation and ~~notifies~~ shall notify each applicant of the action it takes.
- (c) An applicant who desires to upgrade, renew or add new fields to a certificate license shall supply documentation to the department ~~which that~~ supports the desired action.
- (d) A class "A" teaching certificate license may be changed from early childhood, intermediate, middle grades or secondary to either of the other categories upon the applicant's completion of the appropriate program for such certificate the license. An applicant who secures credit as provided in Rule .0302 of this Section for new subject or teaching fields may have these fields added to a teaching certificate license.
- (e) All certificates issued by the department are effective July 1 of the year of issue or upon the date that the requirements are

completed. Certificates are valid for the remainder of the fiscal year in which the person establishes certification qualifications with the department or up to a five year period following July 1 or the date the person completes certification requirements. Five-year dating cycles are initially based on the completion of credit requirements to qualify for certification, the completion of certificates renewal, or a valid certificate held from another state with which reciprocity has been established. New five-year dating cycles are established only when an expired certificate is renewed. The department shall base the effective date of a license on the date the applicant completed the educational program requirements for the license. For applicants who completed these requirements before the current fiscal year in which the application is processed, the effective date shall be July 1. For applicants who have completed these requirements within the current fiscal year in which the application is processed, the effective date shall be the date the applicant completed the requirements. Every license shall expire on June 30 unless it is renewed or extended in accordance with the provisions of this Section. A provisional license issued pursuant to Rule .0305(c) of this Section shall be valid for one year. A lateral entry license issued pursuant to Rule .0305(b) of this Section shall be valid for two years. The initial license issued pursuant to Rule .0304(c)(1) of this Section shall be valid for three years. The continuing license issued pursuant to Rule .0304(c)(2) of this Section shall be valid for five years.

(f) Any certificated licensed person may apply to the department on forms which ~~that~~ it furnishes shall furnish for a duplicate certificate license, in the event the original is lost, or for the change of the applicant's name.

(g) Professional personnel may be assigned only to areas in which the individual holds certification a license, a provisional certification license, endorsement or provisional endorsement as required by the department. The LEA may assign any certified licensed teacher who is the best qualified to teach remedial courses, regardless of certification license area. This provision does shall not apply to any vocational certificate license which ~~that~~ has been restricted by the department as a part of completing certification licensure requirements.

Authority G.S. 115C-12(9)a; N.C. Constitution, Article IX, Sec. 5.

.0302 CREDIT

- (a) The department ~~computes~~ shall compute all credit for certification licensure, including residence, extension and correspondence credit, in semester hours. The department ~~computes~~ shall compute credit for recertification re-licensing or renewal purposes in quarter hours. A quarter hour has shall have the value of two-thirds of a semester hour.
- (b) The department may accept extension and correspondence credit earned from an accredited IHE ~~that has been accredited by~~ a national or regional accrediting authority such as SACS at the class "A" certification license level and below, for purposes of renewal, adding a teaching subject and removing deficiencies. The department ~~will~~ shall allow no more than six semester hours of correspondence credit per certificate action. For purposes of

upgrading undergraduate certificates licenses, a maximum of 10 of the 30 semester hours required for raising the certificate license to the next higher level may be extension and correspondence credit. The approved IHE that has been approved under Rule .0202 of this Subchapter shall accept all credits applying to graduate certificates licenses and certificates licenses in the special services areas, including all certificates licenses above the "A" level.

(c) When a person earns credits in more than one IHE before obtaining a degree, the person shall transfer the credit to an approved IHE which that the person has attended or expects to attend. The person must be enrolled in an approved teacher education curriculum at the IHE.

(d) A person may use credit used for renewal or reinstatement of a certificate license of lower rank toward upgrading a certificate license.

(e) The department ~~will~~ shall retain all credits submitted to it. The department ~~will~~ shall not return transcripts nor furnish certified copies of credits to applicants.

Authority G.S. 115C-12(9)a; N.C. Constitution, Article IX, Sec. 5.

.0303 PROGRAM REQUIREMENTS FOR LICENSURE

In order to receive the initial regular certificate license, an applicant must obtain the bachelor's or other required degree. The applicant must also receive a recommendation from the IHE which that includes the approval or endorsements of both the administrative head of the professional education unit, unit and the departments or areas in which certification is sought. The IHE must determine that the candidate has satisfied all minimum score requirements on standard examinations specified by the SBE before it makes a recommendation.

Authority G.S. 115C-12(9)a; N.C. Constitution, Article IX, Sec. 5.

.0304 LICENSE PATTERNS

(a) Certificates Licenses shall indicate grade levels, content areas, areas and specializations and preparation levels for which the professional has been prepared: shall be eligible for employment, as well as preparation and experience levels.

(b) Certificates are Licenses shall be of the following types:

(1) Teacher. The certificate entitles license shall entitle the holder to teach in some designated area of specialization at the elementary, middle, or secondary level. There are shall be four levels of preparation:

- (A) bachelor's degree; degree (A level);
- (B) master's degree degree (G level);
- (C) sixth-year; sixth-year (AG level); and
- (D) doctorate doctorate (DG level).

The teacher license shall further be categorized as prekindergarten B-K, elementary K-6, middle grades 6-9, secondary 9-12, special subjects K-12, and work force development.

(2) Administrator/supervisor. The holder may serve in general generalist and program administrator roles such as superintendent, assistant or associate superintendent, principal, assistant principal or curriculum-instructional specialist. There are shall be three levels of preparation:

- (A) master's degree;
- (B) sixth-year; and
- (C) doctorate.

(3) Student services area. The holder may provide specialized assistance to the learner, the teacher, the administrator and the education program in general. This category ~~includes the counselor and school psychologist: shall include school counseling, school social work, school psychology, audiology, speech language pathology, and media.~~ There are shall be three levels of preparation as in the case of the administrator/supervisor, except that ~~the school psychologist is school psychology shall be~~ restricted to the sixth-year or doctorate levels: and school social work may be earned at the bachelor's level.

(c) The department bases shall base certificate license classification on the level and degree of career development and competence. There are shall be two classifications of certificates licenses:

(1) The initial certificate license, which is shall be valid for two three years, allows shall allow the holder to begin practicing the profession on an independent basis. Only those persons who are actually beginning in the profession require initial certification. Persons who seek certification in this state for the first time and who have two years of appropriate experience as determined by the department are eligible for a continuing certificate. The holder must serve at least one period a day for two years in a teaching assignment appropriate to the holder's area of initial certification. If the holder is not appropriately placed in-field for a two-year period the holder and/or the holder's employer must apply to the department to extend the initial certificate. The department may extend the initial certificate for up to two years, provided that the extension occurs within five years of the date of qualification as determined by the dating and/or renewal requirements contained in Rules .0301(e) and .0307 of this Subchapter. The holder may have the certificate changed to a continuing certificate as provided in subparagraph (d) of this Rule.

(2) The continuing certificate authorizes license shall authorize professional school service on a continuing basis: an ongoing basis, subject to renewal every five years. This classification includes three categories:

- (A) teacher (class "A" undergraduate and class "G" graduate) in the following areas:
 - (i) early childhood education, K-4;
 - (ii) intermediate education, 4-6;

- (iii) middle grades education, 6-9;
- (iv) secondary specializations, 9-12;
- (v) special areas; and
- (vi) occupational.

- (B) administrator; and
- (C) education specialist.

(d) To convert the initial certificate to a continuing certificate, the holder must serve two years with a LEA or a non-public school that has a comprehensive program plan for initially certified personnel that meets the criteria contained in this subparagraph and that is approved by the SBE; meet the performance criteria for conversion of an initial certificate to a continuing certificate; and be recommended by the locally designated official of the LEA or non-public school by which the holder is employed. For purposes of this Rule, "year" means not less than six successive calendar months of full-time employment in one LEA or non-public school with an approved program plan:

- (1) Each LEA shall develop a comprehensive program plan for initially certified personnel and present the plan to the SBE for approval. Non-public schools that have a state-approved plan to administer the certificate renewal program may also submit a plan for approval. Both LEAs and non-public schools must update their plans by October 15 of each year and submit those plans to the SBE. Each plan must:

- (A) describe adequate provisions for efficient management of the program;
- (B) provide for formal orientation for initially certified personnel describing available services, training opportunities and the process for achieving a continuing certificate;
- (C) provide for the assignment of a mentor team or support team, as determined by the LEA or non-public school, for each initially certified person;
- (D) provide for the principal or principal's designee to share responsibility for providing support, where the LEA or non-public school deems a mentor team to be the appropriate support;
- (E) include on the support team a career status teacher, the principal or principal's designee, and a generalist or a specialist in curriculum/instruction. Other personnel such as HHE members or central office supervisor/administrator staff may be used as resources to the team as needed;
- (F) provide for a minimum of three observations per year, using the first five function areas of the North Carolina Teacher Performance Appraisal Instrument/Initial Certification for teachers, the first of which must be for at least one period or instructional activity, preceded by a pre-conference and followed by a post-conference. The others may be unannounced but must be for at least one period or instructional activity and be followed by a

post-conference. All persons who observe teachers must be trained in the use of the first five function areas of the performance appraisal instrument for teachers. The first observation must occur before October 30, the second must occur between October 30 and January 15, and the third must occur after January 15 and before April 15;

- (G) provide for the preparation of an individualized professional development plan for each initially certified person that identifies goals, strategies and progress toward improving professional skills;
- (H) provide for structure to identify and deliver services and technical assistance needed by initially certified personnel;
- (I) provide for maintenance of a cumulative portfolio that contains the professional development plan and official documentation of performance in the first five function areas of the performance appraisal instrument;
- (J) provide for the timely transfer of the cumulative portfolio to additional employing LEAs within the state upon request of an initially certified employee;
- (K) assure that the program plan was developed together with HHE(s) having approved teacher education programs and describe their continuous involvement with the program;
- (L) describe a plan for the systematic evaluation of the program to assure program quality, effectiveness, and efficient management;
- (M) designate a person to verify successful completion of the two-year initially certified program and make recommendations; and
- (N) document that the LEA or non-public school has adopted the plan.

- (2) No later than April 15 of the second year of employment of the initially certified person, the locally designated official shall determine whether the person will be recommended for conversion to a continuing certificate. The official makes this determination based on the information contained in the holder's cumulative portfolio. The official shall not recommend for conversion any person who has not performed "at standard" or higher on each of the first five function areas of the performance appraisal instrument for teachers on the final observation prior to April 15 of the second year of employment.

- (A) The official makes the recommendation on a form prescribed by the department. The department reviews each recommendation to determine whether the person has in fact achieved at least the required at-standard performance level. If the person has achieved the required performance level, the department shall approve the recommendation of the

locally designated official. If the person has not achieved the required performance level, the department shall not approve the issuance of a continuing certificate.

- (B) Any person not recommended for conversion from an initial certificate to a continuing certificate may have that action reviewed by filing a contested case petition in accordance with Article 3 of Chapter 150B of the General Statutes. As an alternative, the person may contact an approved teacher education program and complete a program of study as prescribed by the IHE to correct deficiencies. After the person successfully completes the required additional training, the IHE must recommend the person for a new initial certification. The holder must then satisfy the performance requirements of this Subparagraph.
- (3) The continuing certificate authorizes professional school service on a continuing basis. This classification includes three categories:
 - (A) teacher (class "A" undergraduate and class "G" graduate) in the following areas:
 - (i) elementary education, K-6;
 - (ii) middle grades education, 6-9;
 - (iii) secondary specializations, 9-12;
 - (iv) special areas, K-12; and
 - (v) occupational.
 - (B) administrator/supervisor; and
 - (C) student service personnel.

Authority G.S. 115C-12(9)a; N.C. Constitution, Article IX, Sec. 5.

.0305 LICENSES FOR NON-TEACHER EDUCATION GRADUATES

(a) A person who has not graduated from an approved teacher education program who later desires to teach shall have his/her credentials evaluated by an approved IHE or teacher education consortium. The person shall satisfy the assessment of his/her needs and be recommended by the IHE or consortium for certification a license.

(b) Persons who have been selected for employment by a LEA under the lateral entry provisions of G.S. 115C-296(c) may obtain certification a license as follows:

- (1) ~~The applicant and the LEA must file a joint application with the department, including all supporting credits, experience, test scores, and other pertinent information. To be eligible for a lateral entry license, a person shall:~~
 - (A) have attained a bachelor's degree in the license area from a regionally-accredited IHE;
 - (B) be recommended for a lateral entry license by the employing LEA; and
 - (C) have had a minimum cumulative grade point average of at least a 2.5 or have passed the

NTE PRAXIS I exams (Preprofessional Skills Tests in Reading, Writing, and Mathematics) and have attained one of the following:

- (i) a grade point average of at least 3.0 on all work completed in the senior year;
 - (ii) a grade point average of at least 3.0 in the major; or
 - (iii) a grade point average of at least 3.0 on a minimum of 15 semester hours of coursework completed within the last 5 years.
- (2) The department issues lateral entry certification in the same areas and classes as it issues to regular teacher education graduates: A person who holds a lateral entry license shall complete a program that includes the following components:
 - (A) The employing LEA shall assess the person's transcripts and experience in collaboration with an approved teacher education program of an IHE or an alternative licensure program approved by the SBE. If the collaboration cannot occur, the LEA must document its efforts toward collaboration or the reasons why collaboration did not occur. The LEA must send that documentation with its recommendation that the person be issued a lateral entry license. As a result of the assessment, the LEA may identify competencies for which the person must receive training.
 - (B) The employing LEA shall commit in writing to:
 - (i) provide a two-week pre-work orientation that includes lesson planning, classroom organization, classroom management, and an overview of the ABCs Program including the standard course of study and end-of-grade and end-of-course testing;
 - (ii) assign the person a mentor on or before the first day on the job;
 - (iii) provide working conditions that are similar to those for novice teachers;
 - (iv) give regular focused feedback to the person for improving instruction; and
 - (v) assist the person in accessing prescribed course work and professional development opportunities.
 - (C) The person shall attain passing scores on appropriate NTE specialty area or PRAXIS 2 exams during the first two years of assignment.
 - (D) The person shall complete a staff development program that includes a two-week training course prior to beginning the work assignment, together with 9 renewal hours or 6 semester

hours each year.

- (E) The person shall successfully complete the three-year initial licensure program in the lateral entry license area the person is seeking.
 - (F) The person shall present evidence from evaluations that demonstrates three years successful experience in the license area the person is seeking.
 - (G) The person shall attain a passing score on the PRAXIS principles of learning and teaching examination upon completion of the training identified as a result of the assessment described in Part (b)(2)(A) of this Rule.
 - (H) The person shall complete all requirements of this Rule within 5 years of becoming eligible for a lateral entry license.
 - (I) The IHE or alternative licensure program approved by the SBE shall recommend to the Department that the person be licensed.
- (3) ~~The department issues these certificates subject to the provisions of Rule .0311 of this Section.~~
 - (4) ~~Teachers who obtain certification under this Paragraph must have their credentials evaluated by an IHE which has an approved teacher education program. The IHE should consider the teacher's knowledge and skill from previous training and experience as it relates to those competencies required for the area of certification.~~
 - (5) ~~The teacher may substitute successful teaching experience for the student teaching requirement.~~
 - (6) ~~The teacher must obtain a satisfactory score on the NTE at the next available administration of the NTE; or may substitute the Graduate Record Examination; in order to maintain a valid certificate.~~
 - (7) ~~Persons who have fulfilled all degree requirements other than some minor or technical deficiency may apply for certification under this Paragraph. The person may not have more than six semester hours' shortage and the person must satisfy that shortage before the beginning of the next fiscal year.~~

(c) A person who is qualified to hold at least a class "A" teaching certificate license may be issued additional areas of certification licensure on a provisional basis as needed by LEAs. The person must satisfy deficiencies for full certification licensure at the rate of six semester hours per year. The person must complete this yearly credit before the beginning of the following school year and the credit must be directly applicable to the provisional area(s). The person must complete all credit requirements by the end of the fifth year of provisional certification. licensure.

(d) The Department shall issue an emergency license to persons who hold at least a baccalaureate degree but who do not qualify for a lateral entry license. The emergency license shall be valid for one year and may not be renewed. When it requests an emergency license for a person, the LEA must document that no appropriately licensed professionals or persons who are eligible for a lateral entry license are available to accept the

position.

- (1) To be eligible for an emergency license, the person must have attained a bachelor's degree from a regionally-accredited IHE and be recommended by the employing LEA.
- (2) A person who holds an emergency license shall complete a program that includes the following components:
 - (A) The employing LEA shall commit in writing to:
 - (i) provide a two-week pre-work orientation that includes lesson planning, classroom organization, classroom management, and an overview of the ABCs Program including the standard course of study and end-of-grade and end-of-course testing;
 - (ii) assign the person a mentor on or before the first day on the job;
 - (iii) provide working conditions that are similar to those for novice teachers;
 - (iv) give regular focused feedback to the person for improving instruction; and
 - (v) assist the person in obtaining a teaching license.
 - (B) The person shall complete a staff development program that includes a two-week training course prior to beginning the work assignment.
 - (C) The LEA shall provide the person with on-going support designed to enhance the person's classroom teaching performance.

Authority G.S. 115C-12(9)a; N.C. Constitution, Article IX, Sec. 5.

.0306 LICENSE ENDORSEMENT

Within the operation of approved programs, IHEs may recommend persons who qualify for full certification licensure for an endorsement to that certification. license. The department issues shall issue an endorsement based on a minimum of eighteen hours in a specific content area where these hours are specifically related to competencies required for full certification in that subject license area. Certificate License endorsements are shall be restricted to less than half-time teaching assignments.

Authority G.S. 115C-12(9)a; N.C. Constitution, Article IX, Sec. 5.

.0307 LICENSE RENEWAL

(a) Certificates Licenses shall be valid for a period of five years from the effective date of issuance. Holders must renew their certificates licenses within each five-year period. The Department shall apply license renewal credit to the person's certificate license field(s) and professional duties.

(b) The Department shall base renewal or reinstatement of a certificate license on 15 units of renewal credit. A unit of credit

is equal to one quarter hour or two-thirds of a semester hour of IHE college or university credit, 10 hours of professional development, or one school year of teaching experience. The Department shall not record less than one credit on a certificate. For their own employees, LEAs may approve staff development activities that carry less than one unit of credit.

(c) Currently employed personnel shall maintain a professional an individual growth plan. These persons may obtain renewal credit for the following activities:

- (1) college or university credit; credit activities;
- (2) teaching experience (one unit for every each year);
- (3) earning National Board for Professional Teaching Standards certification or completion of the National Board for Professional Teaching Standards certification process;
- (3) (4) local in-service courses or workshops which carry at least one unit of renewal credit and which completion of activities that meet the following criteria:
 - (A) ten clock hours of direct training by the instructor will equal one unit of renewal credit; The activity shall be delivered in a minimum of ten clock hours (one unit of renewal credit) over time with on-the-job application, feedback, and follow-up.
 - (B) content and instructional activities designed in a sequential manner to develop specified competencies of a specific population; The activity shall have identified goals and objectives that are designed to increase knowledge or skills in the person's license area or job assignment.
 - (C) The activity shall include focused content and instruction that are sequenced to develop specified competencies of a specific population.
 - (C) (D) The activity shall be conducted led by instructional personnel directly supervised approved by the sponsoring school unit; and unit or employer.
 - (D) (E) credit is granted on the basis of program completion and achievement of specified individual performance, which is determined by individual evaluation for specified competencies; The activity shall include a focused evaluation designed to gauge the change in learner knowledge or skill and to guide the development of future programs.
- (4) (5) independent study of no more than five units of renewal credit per five-year renewal period which meets the following criteria:
 - (A) teachers and other certified licensed personnel help to develop local independent study procedures which the superintendent keeps on file and periodically sends to each certified licensed employee; and
 - (B) the employee and the superintendent or his or

her designee plan the experience in advance, including identification of competencies to be acquired and an evaluation to determine satisfactory achievement of those competencies.

(d) Each LEA LEAs and approved governing boards of schools are responsible for assuring shall assure that all local courses and courses, workshops and independent study activities which do not carry IHE credit meet the standards contained in this Rule.

(e) LEAs may develop an alternative license renewal plan that is competency-based and results-oriented. The plan must describe the connection among professional development, the school improvement plan, and the individual's license area or job responsibilities through processes such as peer review and annual evaluation. The plan may waive specific hour requirements that a licensed employee must meet and focus instead on knowledge and skill acquired by participants. The plan must include outcome measures and must be approved by the Department in advance of its completion.

(e) (f) Agencies which the Department authorizes to administer renewal requirements locally shall LEAs must adopt a procedure to determine the appropriateness of credit in advance of the renewal activity: activities. In determining appropriateness the agency LEA must consider direct relationship to critical job responsibilities, suitability of the content level and properly established school improvement plans, and SBE strategic priorities to properly establish credit for the activity. Each agency LEA must report on participation in and effectiveness of renewal professional development activities as the Department requests; to the North Carolina Professional Teaching Standards Commission on an annual basis.

(f) (g) Persons who hold a North Carolina certificate license but who are not currently employed in the public schools or by approved governing boards of nonpublic schools may earn renewal credit in college or university credit activities, or local courses and workshops on the same basis as currently employed persons. The Department shall evaluate the appropriateness of the credits based on their direct relationship to the license field, the suitability of the content level, and the requirements set out in Paragraph (c) of this Rule.

Authority G.S. 115C-12(9)a; N.C. Constitution, Article IX, Sec. 5.

.0308 EXPIRED LICENSES

All expired certificates licenses are shall be invalid until reinstated. An applicant must earn a minimum of 15 units of appropriate credit during the five-year period immediately preceding the date of application for reinstatement to be eligible for reinstatement. A reinstated certificate is license shall be valid for a five-year period which that begins from the date of completion of the required credits.

Authority N.C. Constitution, Article IX, Sec. 5; G.S. 115C-12(9)a.

.0309 RECIPROCITY IN LICENSURE

Persons who have not completed an approved teacher education program in this state may be eligible for certification a license by the department at the class "A" level as follows:

- (1) graduates of institutions outside the state which that are accredited by the National Council for Accreditation of Teacher Education, provided that:
 - (a) the applicant seeks certification a license in his major area(s) of preparation;
 - (b) the applicant is recommended by the preparing institution for certification a license in his major area(s) of preparation;
 - (c) the recommendation is supported by an official transcript supplied by the institution; and
 - (d) the applicant seeks certification a license in an area or level of teaching for which the department provides certification: a license.
- (2) teachers accepted from other states under G.S. 115C-349 through 115C-358;
- (3) graduates who meet the standards developed by the National Association of State Directors of Teacher Education and Certification; and
- (4) teacher education graduates of accredited out-of-state institutions that are accredited by a national or regional accrediting authority such as SACS who do not meet the requirements of Subparagraphs (1)-(3) of this Rule, who meet the following criteria: as follows:
 - (a) ~~The applicant is a graduate of an accredited senior college;~~
 - (b) ~~The department awards certification a license under this paragraph only to classroom teachers at the bachelor's degree level.~~
 - (c) (a) The department issues shall issue a reciprocity certificate license, which is a provisional certificate license that is valid for one year. The department will shall remove the provisional limitation after the person has taught for one school year.
 - (d) (b) The certificate license covers shall cover only the areas and levels in which the applicant holds, or is qualified to hold, an out-of-state certificate license.
 - (e) (c) A person who holds a reciprocity certificate license must satisfy the renewal requirements of Rule .0307 of this Section.
 - (d) The applicant must hold or be qualified to hold the highest grade current certificate license in the state in which the applicant completed the bachelor's level teacher education program.

Authority G.S. 115C-12(9)a; N.C. Constitution, Article IX, Sec. 5.

.0311 TEMPORARY PERMIT

(a) A candidate for certification a license who has not met the standard examinations requirement may shall receive a temporary permit if:

- (1) the candidate did not know that a minimum standard examination score was required for certification; a license; and
- (2) the candidate has not had the opportunity to satisfy this requirement after becoming aware of it.

(b) A temporary permit is shall be valid for the remainder of the fiscal year during which certification the permit is established. Graduates of in-state approved programs are shall not be eligible for a temporary permit.

Authority N.C. Constitution, Article IX, Sec. 5; G.S. 115C-12(9)a.

.0312 LICENSE SUSPENSION AND REVOCATION

(a) The SBE may deny an application for certification a license or may suspend or revoke a certificate license issued by the department only for the following reasons:

- (1) fraud, material misrepresentation or concealment in the application for certification; the license;
- (2) changes in or corrections of the certificate license documentation which makes that make the individual ineligible to hold a certificate; license;
- (3) conviction or entry of a plea of no contest, as an adult, of a crime if there is a reasonable and adverse relationship between the underlying crime and the continuing ability of the person to perform any of his/her professional functions in an effective manner;
- (4) final dismissal of a person by a local board pursuant to G.S. 115C-325(e)(1)b., if there is a reasonable and adverse relationship between the underlying misconduct and the continuing ability of the person to perform any of his/her professional functions effectively;
- (5) final dismissal of a person by a LEA under G.S. 115C-325(e)(1)e.;
- (6) resignation from employment with a LEA without thirty work days' notice, except with the prior consent of the local superintendent;
- (7) revocation of a certificate license by another state; and
- (8) any other illegal, unethical or lascivious conduct by a person, if there is a reasonable and adverse relationship between the underlying conduct and the continuing ability of the person to perform any of his/her professional functions in an effective manner: manner; and
- (9) Failure failure to report revocable conduct as required under Paragraph (b) of this Rule.

(b) In addition to any duty to report suspected child abuse under G.S. 7A-543, any superintendent, assistant superintendent, associate superintendent, personnel administrator or principal who knows or has substantial reason to believe that a certified licensed employee of the LEA has engaged in behavior that would justify revocation of the employee's certificate license under sections (3), (4) or (8) of Paragraph (a) of this Rule and which behavior involves physical or sexual abuse of a child shall report that information to the Superintendent of Public Instruction within two working days. For purposes of this

section, the term "physical abuse" means shall mean the infliction of serious physical injury other than by accidental means and other than in self-defense. The term "sexual abuse" means shall mean the commission of any sexual act upon a student or causing a student to commit a sexual act, regardless of the age of the student and regardless of the presence or absence of consent. This Paragraph applies shall apply to acts that occur on or after October 1, 1993.

(c) Upon the receipt of a written request and substantiating information from any LEA, local superintendent or other person in a position to present information as a basis for the suspension or revocation of a person's certificate, license, the Superintendent of Public Instruction will conduct an investigation sufficient to determine whether reasonable cause exists to believe that the person's certificate license should be suspended or revoked.

- (1) If the Superintendent determines that reasonable cause exists to believe that the person's certificate license should be suspended or revoked on one or more of the grounds specified in paragraph (a) of this Rule, the Superintendent shall prepare and file written charges with the SBE.
- (2) The SBE will review the written charges and determine whether the person's certificate license should be suspended or revoked based on the information contained in the written charges. If the SBE determines that the written charges constitute grounds for suspension or revocation, it shall provide the person with a copy of the written charges, and notify the person that it will revoke the person's certificate license unless the person, within 30 60 days of receipt of notice, initiates administrative proceedings under Article 3, Chapter 150B of the General Statutes. The notice will be sent certified mail, return receipt requested.
- (3) If the person initiates administrative proceedings the SBE will defer final action on the matter until receipt of a proposed decision as provided for in G.S. 150B-34. If the person does not initiate administrative proceedings within 30 60 days of receipt of notice, the SBE may suspend or revoke the person's certificate license at its next meeting.

(d) The SBE may suspend an individual's certificate license for a stated period of time or may permanently revoke the certificate license, except as limited by G.S. 115C-325(o).

(e) The SBE may accept the voluntary surrender of a license in lieu of seeking revocation of the license. Before it accepts a voluntary surrender the SBE shall make findings of fact regarding the circumstances surrounding the voluntary surrender to demonstrate that grounds existed under which the SBE could have initiated license revocation proceedings. The SBE shall treat a voluntary surrender the same as a revocation.

(f) The SBE may reinstate a suspended or revoked certificate license or may grant a new certificate license after denial of certification a license under Paragraph (a) of this Rule upon application and showing of good cause cause, as defined

by 26 NCAC 03 .0118, by the individual. The burden of proving good cause is on the applicant. The SBE will not grant any request for reinstatement or for granting a new certificate license unless it finds as facts that:

- (1) the action that resulted in revocation or denial of certification the license did not involve abuse of minors; ~~possession, sale or use of controlled substances;~~ moral turpitude or grounds listed in G.S. 115C-325 (e)(1)b; 115C-325(e)(1)b or e;
- (2) the person has no record of subsequent behavior that could have resulted in certificate license revocation; and
- (3) there is no court order or judicial determination that would prohibit the person from returning to or holding a certificated licensed position.

(f) (g) The SBE will notify all other states of all actions which involve the denial, suspension, revocation revocation, surrender, or reinstatement of a certificate.

Authority *G.S. 115C-12(9)a; N.C. Constitution, Article IX, Sec. 5.*

.0313 CRIMINAL HISTORY CHECKS

(a) An LEA may obtain criminal history checks on applicants for employment as provided in G.S. 115C-332 and on applicants and current employees as provided in G.S. 114-19.2(a).

(b) An LEA shall not make any employment decision based solely upon the criminal history check (computer printout) provided by the Department of Justice whether provided pursuant to G.S. 115C-332 or G.S. 114-19.2(a). An LEA shall obtain from the repository of the record a certified copy of the applicant's or employee's conviction or shall consult with legal counsel prior to making a final employment decision based on the conviction.

(c) An LEA shall maintain data from a criminal history check from Department of Justice in paper format only, in a locked, secure place, separate from the individual's personnel file. Only those officials who have been designated by the local board of education as having a need to know the results of a criminal history check may obtain access to the records. Certified copies of records of convictions are public records and need not be maintained in accordance with this Rule.

(d) In the event that the LEA discovers as a result of a criminal history check from Department of Justice that any applicant or ~~employees~~ employee who possesses a certificate or license issued by the SBE has a criminal history, the LEA shall notify in writing the SBE office of legal counsel and shall submit to that office a certified copy of the record of conviction or convictions or information of where to obtain the record of conviction, including the person's name, criminal case number and the county of conviction. The office of legal counsel may initiate license or certificate revocation as appropriate.

(e) Nothing in this Rule is intended to prohibit suspension with or without pay or demotion or dismissal pursuant to the provisions of G.S. 115C-325 without any requirement that there be actual conviction of a crime.

SUBCHAPTER 6E - STUDENTS

**SECTION .0200 - SCHOOL ATHLETICS AND
SPORTS MEDICINE**

.0202 INTERSCHOLASTIC ATHLETICS

(a) Only students in grades 7-12 may participate in interscholastic athletic competition. In order to qualify for public school participation, a student must meet the following requirements:

- (1) The student must meet the residence criteria of G.S. 115C-366(a). The student may participate only at the school to which the student is assigned by the LEA, or, if over the age requirements, the school to which the student would be assigned at the next higher grade level.
- (2) The student must meet age requirements at each grade level to participate. The principal must have evidence of the legal birth date of the student. A student who is ineligible to participate at one grade level due to age is eligible to participate at the next higher grade level only. However, no student may participate at the high school level for a period lasting more than eight consecutive semesters, beginning with the student's first entry into grade nine or participation on a high school team, whichever occurs first.
 - (A) A student is eligible to participate in high school athletic contests during a school year if the student does not reach the 19th birthday on or before October 16 of that school year.
 - (B) A student shall not participate on a ninth grade junior high school team if the student becomes 16 years of age on or before October 16 of that school year.
 - (C) A student shall not participate on a seventh or eighth grade team if the student becomes 15 years of age on or before October 16 of that school year.
- (3) In grades 9-12, the student must pass at least seventy-five percent (75%) of the maximum of possible courses each semester and meet promotion standards established by the LEA. In grades 7 and 8, the student must meet state and local promotion standards and maintain passing grades each semester: pass at least one less course than the number of required core courses each semester and meet promotion standards established by the LEA. Regardless of the school organization pattern, a student who is promoted from the eighth grade to the ninth grade automatically meets the courses passed requirement for the first semester of the ninth grade.
- (4) The student must receive a medical examination each year (365 days) by a duly licensed physician, nurse practitioner, or physician assistant, subject to the

provisions of G.S. 90-9, 90-18.1, and 90-18.2.

- (5) The student may not participate after any of the following:
 - (A) graduation;
 - (B) becoming eligible to graduate;
 - (C) signing a professional athletic contract;
 - (D) receiving remuneration as a participant in an athletic contest; or
 - (E) participating on an all-star team or in an all-star game that is not sanctioned by the association of which the student's school is a member. The student is ineligible only for the specific sport involved.
- (b) Each principal of a school which participates in interscholastic athletics must certify a list of eligible students for each sport.
- (c) Any student-athlete, coach or school official in grades 7-12 who is ejected from any athletic contest shall be penalized as follows:
 - (1) for the first offense, the person shall be reprimanded and suspended for the next game at that level of play (varsity or junior varsity) and for any intervening games at either level;
 - (2) for a second offense, the person shall be placed on probation and suspended for the next two games at that level of play (varsity or junior varsity) and for any intervening games at either level.
 - (3) for a third offense, the person shall be suspended for one calendar year.
 - (4) A coach who is suspended at any level of grades 7-12 (middle school, junior high or high school) may not coach in any other grade level in grades 7-12 during the period of suspension.
 - (5) Penalties are cumulative from sport to sport and from sport season to sport season. If no member of the school's coaching staff is present to assume an ejected coach's duties, the contest shall be terminated by a forfeit.
- (d) LEAs may allow their schools to belong to the North Carolina High School Athletic Association (NCHSAA), which has established as a minimum the rules adopted by the SBE. The NCHSAA may waive any eligibility requirement contained in this Rule, except the age requirement, if it finds that the rule fails to accomplish its purpose or it works an undue hardship when applied to a particular student. The NCHSAA may enforce penalties for the violation of this Rule at the high school level.
- (e) The LEA which has jurisdiction over the school may impose additional penalties. LEAs or conferences may adopt and impose penalties at the middle and junior high school levels.

Authority G.S. 115C-47(4).

**SUBCHAPTER 6G - EDUCATION AGENCY
RELATIONS**

SECTION .0500 - CHARTER SCHOOLS

.0502 CHARTER SCHOOL ADVISORY COMMITTEE

(a) The SBE shall appoint a charter school advisory committee of 15 members, who shall represent the following categories:

- (1) charter school officials;
- (2) public school employees, at least one of whom shall be a teacher;
- (3) business and community leaders;
- (4) local boards of education;
- (5) the North Carolina Parents and Teachers Association; and
- (6) county commissioners.

(b) The term of membership shall be two years. Each member shall be eligible to serve two terms. The Superintendent of Public Instruction shall designate the chair of the charter school advisory committee.

(c) The charter school advisory committee shall advise the SBE on policies, procedures, and concerns that relate to the operation of charter schools in this State.

(d) The charter school advisory committee shall also sit either as a whole or in panels designated by its chair to hear grievances between or among charter schools, chartering entities, and local boards of education. Either the charter school, its chartering entity, or the local board of education of the county in which the charter school is located may file a grievance with the charter school advisory committee. The grievance shall state the basis of the grievance and what steps the parties have taken to resolve the grievance. The committee or a panel of the committee shall investigate the grievance, provide a hearing for the parties to the grievance, and decide the final resolution of the grievance, subject to an appeal to the SBE.

Authority G.S. 115C-238.29G(b).

SUBCHAPTER 6H - FEDERAL PROGRAMS

SECTION .0100 - GENERAL

.0103 COMPLAINT PROCEDURES FOR FEDERAL PROGRAMS

(a) The department will shall receive, review and resolve complaints for which no other procedures or remedies are available. These complaints involve the allegation that LEAs, another subgrantee or the department has violated a federal statute, regulation or interpretive rule. This Rule affects those federal education programs listed in 34 CFR Part 76.

(b) Any person(s) who believes that grounds exist for filing a complaint under Paragraph (a) of this Rule may file a written complaint with the department. The complaint must:

- (1) be signed by the person(s) making it;
- (2) show who has violated a specific federal requirement;
- (3) tell how the requirement has been violated;
- (4) state the facts upon which the complaint is based; and
- (5) tell what relief the person is seeking.

(c) If the department receives a complaint which is not complete or is not in proper form, it will shall contact the person

making it and explain how the complaint may be made acceptable.

(d) The department will shall send the complaint to appropriate staff for review and response. If the complaint involves a subgrantee, the department will shall send the complaint to that subgrantee.

(e) The department may, in its discretion, allow the person to appear and present evidence.

(f) The department will shall issue a final written resolution of each acceptable complaint to each party involved within 60 days of receipt, unless exceptional circumstances require an extension.

(g) The resolution includes: shall include:

- (1) a summary of the facts involved;
- (2) a statement of the federal requirement involved;
- (3) the department's findings of fact and a summary of the evidence it considered;
- (4) the department's conclusions regarding each allegation and a summary of its reasons for them; and
- (5) the department's order for any technical assistance, negotiation or corrective action that must occur and when those actions must be taken; and taken.
- (6) notice to each party to their right to appeal the resolution for review by the U.S. Department of Education within 30 days.

(h) If a complaint concerns equal private school participation in federal education programs, the department will also follow the procedures of P.L. 95-561.

(i) (h) If a federal education program requires a subgrantee to develop and use a complaint procedure, the person complaining may use either that or the department's procedure. If the person uses the subgrantee's procedure, the person may appeal that decision to the department within 30 days after receiving it.

Authority G.S. 115C-113; 34 C.F.R. 300.660-662.

.0106 NON-INSTRUCTIONAL SPECIAL EDUCATION SERVICES

(a) Transportation.

- (1) LEAs shall be responsible for providing or paying provide or pay for the costs of transportation for children with disabilities enrolled in the schools or programs under their jurisdiction. They in their local school systems and shall also be responsible for providing or paying provide or pay for the costs of transportation to any private residential or nonresidential program; public or private; if the student has been placed in or assigned to that private program by the LEA. Special funds may be provided for this purpose through the department and shall be incorporated in the general transportation plan of the LEA. Transportation funds for this purpose may be provided through local boards of education annual budget transportation allotments that are administered by the School Support Division of the Department. These funds shall be incorporated in the general

transportation plan of each local board. For preschool children with disabilities, payment of these transportation costs must be made from either federal or state preschool program funds.

- (2) If a child with disabilities is assigned to or enrolled in a any residential or nonresidential program operated by or under the jurisdiction of the Departments of Human Resources Health and Human Services or Correction, the department operating the program or having the program under its jurisdiction or control over the program shall be responsible for paying provide or pay the costs of transportation. This shall be applicable for programs for school age students with disabilities as well as programs for preschool children with disabilities. The only exception shall be when a child is enrolled in a LEA and is counted for funding purposes by the LEA, but attends a class or classes at a Department of Health and Human Services program. In this case, the LEA shall provide the transportation to the Department of Health and Human Services program and return to the LEA or home.
- (3) The costs of transportation for a child with disabilities placed in or assigned to a school or program outside the state shall be paid by the LEA placing or assigning the child.
- (4) Reimbursement for transportation costs paid for any one child may not exceed the Department of Transportation allowance per mile unless it is demonstrated by the child or his/her parents that this limitation will work a hardship or is unreasonable. The LEA and the appropriate state agency shall approve this justification.

(b) LEAs shall determine and arrange for the provision of all materials, supplies and equipment essential to the instructional programs for children with special needs.

Authority G.S. 115C-141.

TITLE 19A - DEPARTMENT OF TRANSPORTATION

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Department of Transportation - Division of Highways intends to amend the rule cited as 19A NCAC 2E .0602. Notice of Rule-making Proceedings was published in the Register on August 2, 1999.

Proposed Effective Date: August 1, 2000

Instructions on How to Demand a Public Hearing: A demand for a public hearing must be made in writing and mailed to Emily Lee, NC Department of Transportation, PO Box 25201, Raleigh, NC 27611. The demand must be received within 15 days of this Notice.

Reason for Proposed Action: Rule is proposed for amendment to change the vegetation clearing limits for outdoor advertising structures.

Comment Procedures: Any interested person may submit written comments on the proposed rule by mailing the comments to Emily Lee, NC DOT, PO Box 25201, Raleigh, NC 27611 by January 14, 2000.

Fiscal Impact

State	Local	Sub.	None
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CHAPTER 2 - DIVISION OF HIGHWAYS

SUBCHAPTER 2E - MISCELLANEOUS OPERATIONS

SECTION .0600 - SELECTIVE VEGETATION REMOVAL POLICY

.0602 REQUESTS FOR PERMITS

(a) Applications for selective vegetation thinning, pruning, or removal (exclusive of grasses) shall be made by the owner of the business or advertisement to the appropriate Division Engineer of the North Carolina Department of Transportation, Division of Highways. A fee of two hundred dollars (\$200.00) must accompany each application.

(b) Selective vegetation thinning, pruning, or removal will shall be permitted only for the permittee's facilities adjacent to highway right of way at locations where such facilities have been constructed. The provisions will shall not be used to provide visibility to undeveloped property.

(c) Applications must be accompanied by a sketch showing the requested limits of the selective thinning, pruning, or removal of vegetation. For outdoor advertising displays, these limits shall be restricted to a maximum of 125 feet, in each direction, measured along the highway right of way line, from the center of the advertising display. For commercial, industrial, institutional and office facilities, the limits of selective clearing or thinning shall be restricted to the area of right of way immediately adjacent to frontage property of the facility, but not to exceed 1,000 linear feet. cutting area for each sign face which shall be determined as follows:

- (1) The point located on the edge of the right of way which is the closest point to the center line of the sign face shall be point A;
- (2) The point located 100 feet down the right of way line in the direction of the sign viewing zone shall be point B;
- (3) The point on the edge of pavement of the travelway (not paved shoulder) which is the closest to the center line of the sign shall be point C;
- (4) The point 50 feet down the edge of pavement in the direction of the sign viewing zone from point C shall be point D;

- (5) The point 250 feet down the edge of pavement in the direction of the sign viewing zone from point C shall be point E;
- (6) Lines drawn from point A to point D and from point B to point E shall define the limits of the cutting area (see diagrams that follow as examples of the application of this Paragraph).

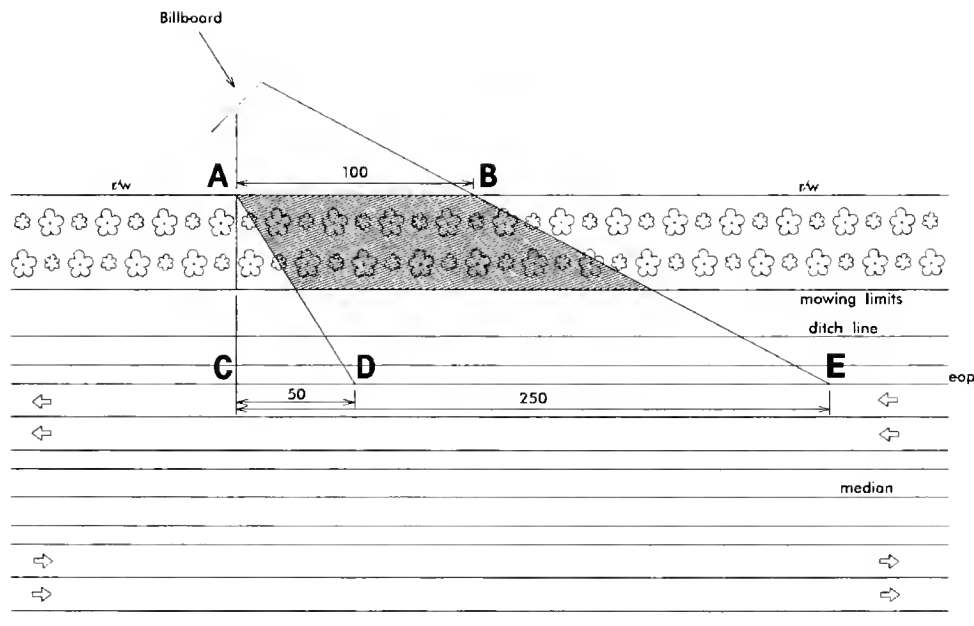
The Department of Transportation shall determine compensatory tree replanting to be performed by the sign owner as a result of the ABED removal zone versus the previous 125-foot rectangular zone. Compensatory tree planting is required to replace trees removed in the new portion of the ABED zone. This replanting shall be inch for inch based on the caliper inches of trees removed in the ABED zone which are four inches and greater measured six inches above the ground. Location of replanting shall be areas of old 125-foot zone now not allowable to be cut by new ABED zone and locations within right of way on same route within one mile as designated by the Department. Where sign faces are blocked or will be blocked by existing trees in the 125-foot zone the ABED removal zone shall not be implemented.

For commercial, industrial, institutional and office facilities, the limits of selective clearing or thinning shall be restricted to the area of right-of-way immediately adjacent to frontage property of the facility but not to exceed 1,000 linear feet.

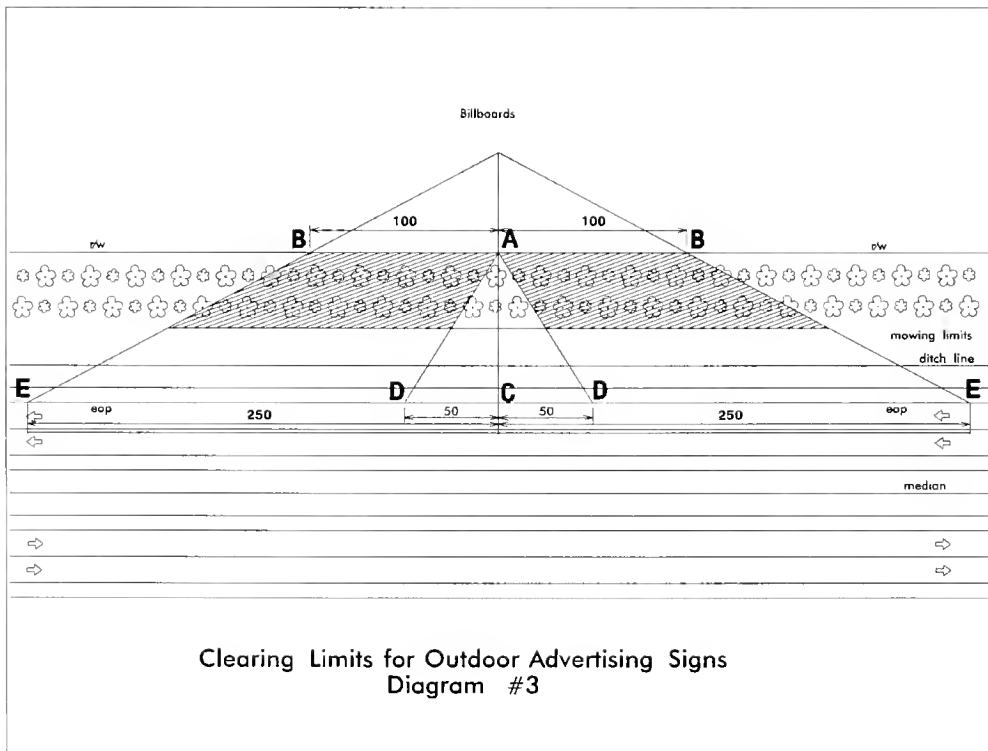
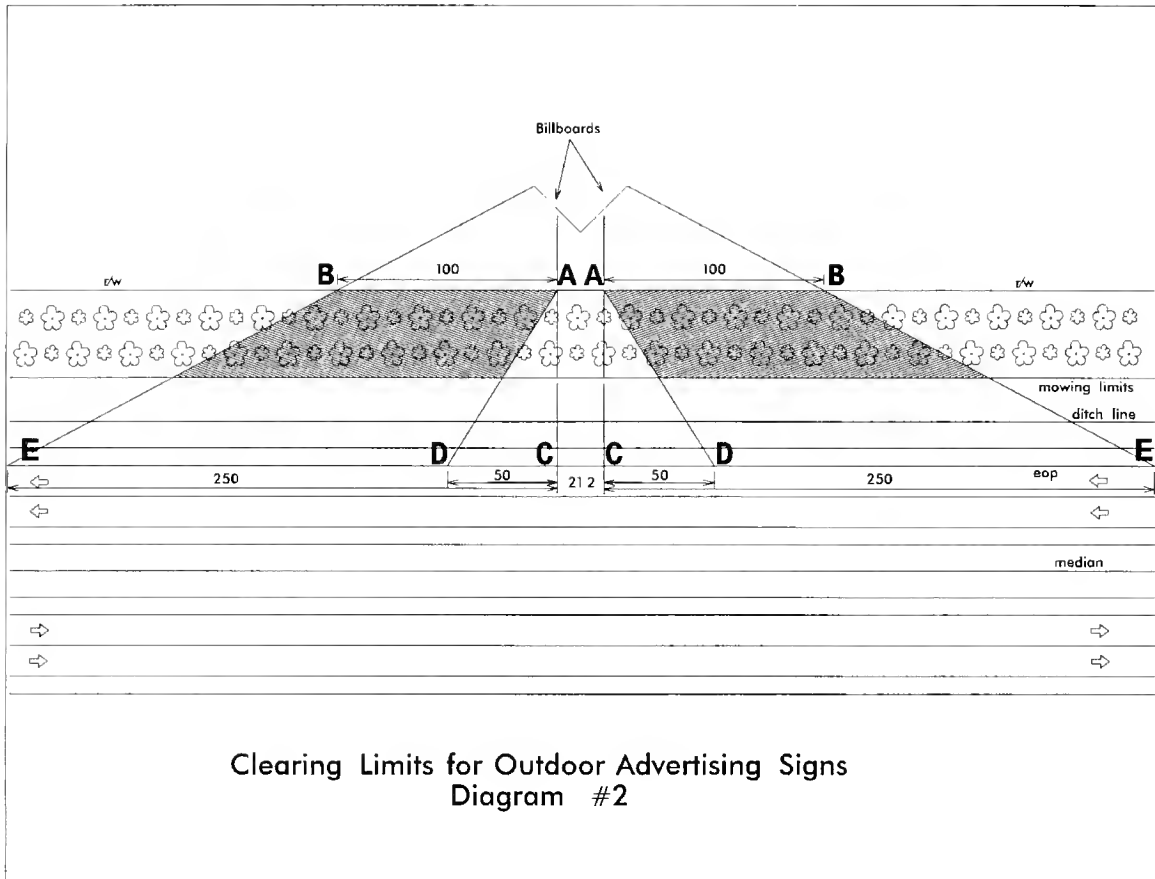
(d) Applications for permits for vegetation cutting to be performed on State Highway right of way must be accompanied by written authorization(s) by the underlying fee owner(s) of all property upon which cutting is to take place, provided that where the right of way was secured in fee simple by the Department, such authorization will shall not be required. The application must also be accompanied by written authorization of all owners of property abutting the area to be cut.

(e) The selective vegetation control request will shall be investigated on site by Maintenance and Roadside Environmental personnel and a representative of the applicant.

(f) If the application for vegetation cutting is for a site located within the corporate limits of a City or Town, local officials will shall be given the opportunity to review the application if the City or Town has previously advised the Division Engineer of their desire to review such applications.



Clearing Limits for Outdoor Advertising Signs
Diagram #1



Authority G.S. 136-18(5); 136-18(7); 136-18(9); 136-18.7.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 26 - LICENSING BOARD OF LANDSCAPE ARCHITECTS

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Board of Landscape Architects intends to amend rules 21 NCAC 26 .0101, .0104 - .0105 and repeal rules cited as 21 NCAC 26 .0302. Notice of Rule-making Proceedings was published in the Register on September 1, 1999.

Proposed Effective Date: August 1, 2000

A Public Hearing will be conducted at 10:00 a.m. on January 7, 2000 at 3733 Benson Dr, Raleigh, NC.

Reason for Proposed Action: Location of Board office has changed; Temporary permits no longer issued as mandated by Session Law 1997; Late renewal penalties are confusing and ineffective as presently written and enforced.

Comment Procedures: All interested parties are invited to send written comments to Robert M. Upton, Board Administrator, PO Box 41225, Raleigh, NC 27629-1225.

Fiscal Impact

State	Local	Sub.	None
			✓

SECTION .0100 - STATUTORY AND ADMINISTRATIVE PROVISIONS

.0101 AUTHORITY: NAME AND LOCATION OF BOARD

The "North Carolina Landscape Architecture Act," G.S. 89A, establishes and authorizes the "North Carolina Board of Landscape Architects," hereafter called the "board." Unless otherwise directed, all communications should be addressed to the board at Post Office Box 26852 41225, Raleigh, North Carolina 27611 27629.

Authority G.S. 89A-3(c).

.0104 FORMS

Forms used by the board, and available from the board office upon request, include the following:

- (1) Application for Registration as Landscape Architect,
- (2) Application for Corporate Certificate of Registration,
- (3) Application for Temporary Permit,
- (4) (3) Application for Renewal of Certificate,
- (5) (4) Application for Renewal of Corporate Certificate.

Authority G.S. 89A-3(c); 150B-11(1).

.0105 FEES

(a) Application fees shall be one hundred dollars (\$100.00).
(b) The Certificate of Permit for a temporary permit shall be one hundred fifty dollars (\$150.00).

(c)(b) Examination fees shall be equal to the cost of examinations incurred by the Board, plus administrative costs, four hundred fifty dollars (\$450.00) for a complete examination, and shall be paid prior to the examination.

(d)(c) Fees for portions of examinations will be based on the actual charges to the board for procuring, administering and grading the portion of the exam. The fees shall be paid prior to the examination.

(e)(d) The fee for license by reciprocity shall be one hundred fifty dollars (\$150.00).

(f)(e) The fee for a corporate certificate of registration shall be two hundred dollars (\$200.00).

(g)(f) The fee for the annual renewal of any certificate of registration shall be one hundred dollars (\$100.00).

(h)(g) Annual renewal fees received after July 1 of each year shall be subject to a one-time late payment penalty of \$50.00. Lapse of license renewal in excess of one year shall require an application reinstatement and an application fee of \$100.00, the assessment of a late payment penalty according to the following schedule:

- (1) After July 1 - ten dollars (\$10.00);
- (2) After September 1 - fifteen dollars (\$15.00);
- (3) After October 1 - twenty dollars (\$20.00);
- (4) After November 1 - twenty five dollars (\$25.00);
- (5) After December 1 - thirty dollars (\$30.00);
- (6) After January 1 - thirty five dollars (\$35.00);
- (7) After February 1 - forty dollars (\$40.00);
- (8) After March 1 - forty five dollars (\$45.00);
- (9) After April 1 - fifty dollars (\$50.00);

(i) (h) The fee for re-issue of a lost or damaged certificate or permit is ten dollars (\$10.00).

Authority G.S. 89A-3(c); 89A-6.

SECTION .0300 - EXAMINATION AND LICENSING PROCEDURES

.0302 TEMPORARY PERMIT

The board may issue temporary permits pending examination. The board will consider the education, training and experience of the applicant. No temporary permit will be issued or renewed for more than one year or two examination dates, whichever is longer.

Authority G.S. 89A-3(c); 89A-4(c).

CHAPTER 36 - BOARD OF NURSING

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Board of Nursing intends to adopt the rules cited as 21 NCAC 36 .0701-.0705 and amend the rules cited as 21 NCAC 36 .0220-.0221, .0227, .0318, .0404-.0405. Notice of Rule-making Proceedings was published in the Register on October 1, 1999.

Proposed Effective Date: July 1, 2000

A Public Hearing will be conducted at 1:00 p.m. on January 23, 2000 at the Homewood Suites Hotel, 5400 Edwards Mill Road, Raleigh, NC.

Reason for Proposed Action: Legislation enacted in the last General Assembly - Article 9G; G.S. 90-171.80-90-17.94 and Article 9A; G.S. 90-171.43.

Comment Procedures: Comments regarding this action should be directed to Jean H. Stanley, APA Coordinator, NC Board of Nursing, PO Box 2129, Raleigh, NC 27602-2129. Comments must be received in the Board of Nursing office by 1:00 p.m. on January 23, 2000.

<u>Fiscal Impact</u>			
State	Local	Sub.	None
			✓

SECTION .0200 - LICENSURE

.0220 REFRESHER COURSE

(a) A refresher course shall be designed for those persons, previously licensed, who are not eligible for re-entry into nursing practice because their license has lapsed for five or more years.

(b) Satisfactory completion of a Board-approved refresher course is required of the person who:

- (1) requests reactivation of an inactive license and who has not held an active license for five ore more years;
- (2) requests reinstatement of a lapsed license and who has not held an active license for five or more years;
- (3) requests endorsement to North Carolina who has not held an active license for five or more years;
- (4) is directed by the Board to complete such a course when the Board takes action as authorized in G.S. 90-171.37; or
- (5) needs a refresher course as a result of the lieense being inactive for disciplinary action and has met all eligibility requirements for reinstatement of the license.

Those persons identified in Subparagraph (4) and (5) of this Paragraph may be subject to Board-stipulated restrictions in the clinical component of the refresher course.

(e) Application for approval of a refresher course shall be

completed and submitted by the provider at least 90 days prior to the expected date of enrollment and shall include evidence of complying with the rules for refresher courses. Board approval shall be secured prior to the enrollment of students. Provider approval will be granted for a period of time not to exceed five years. However, any changes in faculty, curriculum, or clinical facilities shall be approved by the Board prior to implementation.

(d) The Board will make site visits if necessary. A decision on an application to offer a refresher course will be given within 30 days following receipt of the application.

(e) The provider of a Board-approved refresher course shall be a Board-approved, post-secondary educational institution, a Board-approved health care institution, or other agency acceptable to the Board.

(f) Administrative responsibility for developing and implementing the course shall be vested in a registered nurse director.

(g) Instruetors in the course shall be directly accountable to the nurse director. The director shall have had at least one year prior teaching experience preparing individuals for LPN or RN licensure at the post-secondary level or in a nursing staff development position. The director and each instructor shall:

- (1) be duly licensed hold a current North Carolina license to practice nursing as a registered nurse; nurse in North Carolina;
- (2) hold a baccalaureate or higher degree; and
- (3) have had at least two years experience in direct patient nursing practice as an RN.

(h) Proximity of the instructor to students is the major factor in determining faculty-student ratio for clinical learning experiences. In no case shall this ration exceed 1:10.

(i) Course objectives shall be stated which:

- (1) show relationships between theory and practice; and
- (2) indicate behaviors consistent with the ability to safely practice nursing.

(j) The curriculum for the R.N. Refresher Course shall incorporate:

- (1) common medical-surgical eonditions and management of common nursing problems associated with these conditions, including mental health principles associated with management of nursing problems;
- (2) functions of the registered nurse as defined in G.S. 90-171.20 and 21 NCAC 36.0221, .0224, .0225 and .0401; and
- (3) instruction in and opportunities to demonstrate ability to safely practice nursing and knowledge in caring for clients with common medical-surgical problems.

(k) The curriculum for the L.P.N. Refresher Course shall incorporate:

- (1) common medical-surgical eonditions and common nursing approaches to their management, including mental health principles;
- (2) functions of the licensed praetical nurse as defined in G.S. 90-171.0 and 21 NCAC 36 .0221, .0225 and .0401; and

- (3) instruction in and opportunity to demonstrate ability to safely practice nursing and knowledge in caring for clients with common medical-surgical problems.
- (l) The course shall include both theory and clinical instruction:
 - (1) The R.N. Refresher Course shall include at least 240 hours of instruction, at least 120 of which shall consist of clinical learning experiences.
 - (2) The L.P.N. Refresher Course shall include at least 180 hours of instruction, at least 90 of which shall consist of clinical learning experiences.
- (m) Evaluation processes shall be implemented which effectively measure:
 - (1) knowledge and understanding of curriculum content; and
 - (2) clarify individuals ability to provide safe nursing care to clients with common medical-surgical conditions.
- (n) Clinical resources shall:
 - (1) indicate in written contract their support and availability to provide the necessary clinical experiences; and
 - (2) be approved by the Board of Nursing.
- (o) Clinical resources shall:
 - (1) course objectives, content outline and time allocation;
 - (2) didactic and clinical learning experiences including teaching methodologies, for measuring the registrant's abilities to practice nursing;
 - (3) plan for evaluation of student competencies and ability to practice safe nursing;
 - (4) a faculty list which includes the director and all instructors and identifies their qualifications and their functions in teaching roles; and
 - (5) the projected clinical schedule.
- (p) A course or combination of courses within a basic nursing curriculum may be considered a refresher course for re-entry into practice if:
 - (1) such course or combination of courses equals or exceeds requirements for refresher courses;
 - (2) such course or combination of courses is taught on a level commensurate with level of relicensure sought; and
 - (3) the Board designee approves such course or combination of courses as a substitute for a refresher course.
- (q) Individuals, previously licensed in North Carolina, presently residing outside of North Carolina, may meet these requirements by successfully completing a North Carolina approved refresher course completed in another state or country. Agencies desiring approval for conducting refresher courses shall submit applications per Paragraphs (c) through (p) or this Rule. Clinical experiences shall be in agencies approved by the comparable state/country agency to the Board of Nursing. The agency applying for refresher course approval shall submit evidence of the agency approval.
- (r) Individuals enrolled in refresher courses shall identify themselves as R.N. Refresher Student (RN RS) or LPN Refresher Student (LPN RS) consistent with the course level,

after signatures on records or on name pins.

(s) Upon completion of a Board-approved refresher course, the course provider shall furnish the Board with the names and North Carolina certificate numbers of those persons who have satisfactorily completed the course and are deemed safe to practice nursing at the appropriate level of licensure on the Board supplied form.

(t) Upon request, the Board shall provide:

- (1) a list of approved providers;
- (2) forms for applications for program approval; and
- (3) forms for verification of successful completion to all approved programs.

Authority G.S. 90-171.23(b)(3); 90-171.35; 90-171.36; 90-171.37; 90-171.83.

.0221 LICENSURE REQUIRED

(a) No cap, pin, uniform, insignia or title shall be used to represent to the public that an unlicensed person is a registered nurse or a licensed practical nurse: nurse as defined in G.S. 90-171.43.

(b) The repetitive performance of a common task or procedure which does not require the professional judgment of a registered nurse or licensed practical nurse shall not be considered the practice of nursing for which a license is required. Tasks that may be delegated to the Nurse Aide I and Nurse Aide II shall be established by the Board of Nursing as defined in 21 NCAC 36.0401 and .0405. Tasks may be delegated to an unlicensed person which:

- (1) frequently recur in the daily care of a client or group of clients;
- (2) are performed according to an established sequence of steps;
- (3) involve little or no modification from one client-care situation to another;
- (4) may be performed with a predictable outcome; and
- (5) do not inherently involve ongoing assessment, interpretation, or decision-making which cannot be logically separated from the procedure(s) itself.

Client-care services which do not meet all of these criteria shall be performed by a duly licensed nurse. The restrictions, however, do not apply to care performed by clients themselves, their families or significant others, or by caretakers who provide personal care to individuals whose health care needs are incidental to the personal care required.

(c) It shall be considered the practice of nursing for which a license is required to implement any treatment and pharmaceutical regimen which is likely to produce side or toxic effects, allergic reactions, or other unusual effects or which may rapidly endanger a client's life or well-being and which is prescribed by a person authorized by state law to prescribe such a regimen.

- (1) The nurse who assumes responsibility for implementing a treatment and pharmaceutical Regimen shall be accountable for:
 - (A) recognizing side effects;
 - (B) recognizing toxic effects;

- (C) recognizing allergic reactions;
 - (D) recognizing immediate desired effects;
 - (E) recognizing unusual and unexpected effects;
 - (F) recognizing changes in client's condition that contraindicates continued administration of the medication;
 - (G) anticipating those effects which may rapidly endanger a client's life or well-being; and
 - (H) making judgments and decisions concerning actions to take in the event such untoward effects occur.
- (2) Exceptions to .0221(c)(1) are:
- (A) persons who hold statutory authority to administer medications;
 - (B) clients themselves, their families or significant others, or caretakers who provide personal care to individuals whose health care needs are incidental to the personal care required;
 - (C) administration of oral nutritional supplements;
 - (D) applications of non-systemic, topical skin preparations which have local effects only provided that ongoing, periodic assessment of any skin lesion present shall be carried out by a person licensed to make such assessments; and
 - (E) administration of commonly used cleansing enema solutions or suppositories with local effects only.

(d) Unlicensed nursing students enrolled in out-of-state nursing education programs who are requesting utilization of North Carolina clinical facilities, shall be allowed such experiences following approval by the Board of Nursing or its designee. Upon receiving such a request, the chief nurse administrator of a North Carolina clinical facility contacted by an out-of-state nursing education program seeking nursing student clinical education experiences in North Carolina shall provide the Board with the following at least 60 days prior to the start of the requested experience prior to receiving approval for accepting the students:

- (1) letter of request for approval to provide the clinical offering;
- (2) course description, which includes course objectives, content outline, grading criteria for the course, and curriculum pattern which lists all courses required and placement of this course in the curriculum;
- (3) names of faculty members responsible for coordinating the student's experiences;
- (4) documentation that the nursing program is currently approved by the Board of Nursing or other appropriate approval bodies in the state in which the parent institution is located;
- (5) proposed starting and completion dates for the requested clinical experiences;
- (6) criteria used for selection of the students for the clinical experience in North Carolina;
- (7) number of students to be placed in the facility;
- (8) units for placement and number of students on each

unit;

- (9) RN faculty or preceptor qualifications criteria with vitae, including ~~NC RN license numbers of those working with the students; the numbers of each faculty or preceptor's license issued by the North Carolina Board of Nursing or by the nurse licensing Board of a state party to the Nurse Licensure Compact;~~
- (10) signed contract between nursing program and clinical facility indicating ration will not be greater than 1:10 faculty to student ratio for groups of students or 1:2 preceptor to students if preceptor arrangement is proposed;
- (11) written statement from chief nursing administrator indicating the proposed clinical experience does not conflict with clinical unit commitment to approved North Carolina nursing programs who have contracts with the facility;
- (12) evidence that all students involved in the proposed clinical experience are in good academic standing; and
- (13) plans that ensure timely communications between the coordinating faculty from out-of-state program, the participating NC nurses, the chief nursing administrator of the NC clinical facility and the students.

(e) If the approved experience is to continue on an annual basis, written notification shall be submitted annually, by the chief nurse administrator of the NC facility at least thirty 30 days prior to the resumption of the experiences. This notice shall include notification of any changes in the information submitted in material required in Paragraph (d) of this Rule. Upon review by the Board or its designee, written approval shall be sent to the Chief Nursing administrator of the NC facility and the out-of-state nursing program, within thirty 30 business days of receipt of the materials in the Board office. Copies of the following shall be distributed by the chief nursing administrator of the clinical facility to all students and faculty involved in the clinical experiences:

- (1) North Carolina Nursing Practice Act;
- (2) North Carolina administrative rules and related interpretations regarding the role of the RN, LPN, and unlicensed nursing personnel;
- (3) North Carolina Board developed Guidelines for Utilization of Preceptors; and
- (4) North Carolina Board of Nursing developed Interpretations According to Adopted Categories.

(f) Failure to comply with the requirements in Paragraph (d) of this Rule as established by the North Carolina Board of Nursing shall result in the immediate withdrawal of the Board's approval of the clinical offerings.

Authority G.S. 90-171.23(b); 90-171.39; 90-171.43; 90-171.83.

.0227 APPROVAL AND PRACTICE PARAMETERS FOR NURSE PRACTITIONERS

- (a) Definitions:

- (1) "Medical Board" means the North Carolina Medical Board.
- (2) "Board of Nursing" means the Board of Nursing of the State of North Carolina.
- (3) "Joint Subcommittee" means the subcommittee composed of members of the Board of Nursing and Members of the Medical Board to whom responsibility is given by G.S. 90-6 and G. S. 90-171.23(b)(14) to develop rules to govern the performance of medical acts by nurse practitioners in North Carolina.
- (4) "Nurse Practitioner or NP" means a currently licensed registered nurse approved to perform medical acts under an agreement with a licensed physician for ongoing supervision, consultation, collaboration and evaluation of the medical acts performed. Only a registered nurse approved by the Medical Board and the Board of Nursing may legally identify oneself as a Nurse Practitioner. It is understood that the nurse practitioner, by virtue of RN licensure, is independently accountable for those nursing acts which he or she may perform.
- (5) "Nurse Practitioner Applicant" means a registered nurse who may function prior to full approval as a Nurse Practitioner in accordance with Part (c)(2)(D) of this Rule.
- (6) "Supervision" means the physician's function of overseeing medical acts performed by the nurse practitioner.
- (7) "Collaborative practice agreement" means the arrangement for nurse practitioner-physician continuous availability to each other for on-going supervision, consultation, collaboration, referral and evaluation of care provided by the nurse practitioner.
- (8) "Primary Supervising Physician" means the licensed physician who, by signing the nurse practitioner application, is held accountable for the on-going supervision, consultation, collaboration and evaluation of the medical acts performed by the nurse practitioner as defined in the site specific written protocols.
 - (A) The primary supervising physician shall assume the responsibility of assuring the Boards that the nurse practitioner is qualified to perform those medical acts described in the site specific written protocols.
 - (B) A physician in a graduate medical education program, whether fully licensed or holding only a resident's training license, shall not be named as a primary supervising physician.
 - (C) A physician in a graduate medical education program who is also practicing in a non-training situation may supervise a nurse practitioner in the non-training situation if fully licensed
- (9) "Back-up Supervising Physician" means the licensed physician who, by signing an agreement with the nurse practitioner and the primary supervising physician(s) shall be held accountable for the supervision, consultation, collaboration and evaluation of medical acts by the nurse practitioner in accordance with the site specific written protocols when the Primary Supervising Physician is not available.
 - (A) The signed and dated agreements for each back-up supervising physician(s) shall be maintained at each practice site.
 - (B) A physician in a graduate medical education program, whether fully licensed or holding only a resident's training license, shall not be named as a back-up supervising physician.
 - (C) A physician in a graduate medical education program who is also practicing in a nontraining situation may be a back-up supervising physician to a nurse practitioner in the non-training situation if fully licensed and has signed an agreement with the nurse practitioner and the primary supervising physician.
- (10) "Approval" means authorization by the Medical Board and the Board of Nursing for a registered nurse to practice as a nurse practitioner in accordance with this Subchapter.
- (11) "Written protocols" means the signed and dated set of written practice guidelines maintained at each practice site which describe the prescribing privileges, treatments, tests and procedures that define the scope of the nurse practitioner's medical acts in that setting. Clinical practice issues that are not covered by the written protocols require nurse practitioner/physician consultation, and documentation related to the treatment plan.
- (12) "Volunteer practice" means practice without expectation of compensation or payment (monetary, in kind or otherwise) to the nurse practitioner either directly or indirectly.
- (13) "Disaster" means a state of disaster as defined in G.S. 166A-4(3) and proclaimed by the Governor, or by the General Assembly pursuant to G.S. 166A-6.
- (14) "Interim Status" means the privilege granted by the Boards to a graduate of an approved nurse practitioner education program or a registered nurse seeking initial approval in North Carolina with limited privileges, as defined in Part (c)(2)(D) of this Rule while awaiting final approval to practice as a nurse practitioner.
- (15) "Temporary Approval" means authorization by the Medical Board and the Board of Nursing for a registered nurse to practice as a nurse practitioner in accordance with this Rule for a period not to exceed 18 months while awaiting notification of successful completion of the national certification examination.
- (16) "National Credentialing Body" means one of the following credentialing bodies that offers certification and re-certification in the nurse practitioner's specialty area of practice: American Nurses

Credentialing Center (ANCC); American Academy of Nurse Practitioners (AANP); National Certification Corporation of the Obstetric, Gynecologic and Neonatal Nursing Specialties (NCC); and the National Certification Board of Pediatric Nurse Practitioners and Nurses (PNP/N).

(b) Scope of Practice. The nurse practitioner shall be responsible and accountable for the continuous and comprehensive management of a broad range of personal health services for which the nurse practitioner shall be educationally prepared and for which competency has been maintained, with physician supervision and collaboration as described in Paragraph (i) of this Rule. These services include but are not restricted to:

- (1) promotion and maintenance of health;
- (2) prevention of illness and disability;
- (3) diagnosing, treating and managing acute and chronic illnesses;
- (4) guidance and counseling for both individuals and families;
- (5) prescribing, administering and dispensing therapeutic measures, tests, procedures and drugs;
- (6) planning for situations beyond the nurse practitioner's expertise, and consulting with and referring to other health care providers as appropriate; and
- (7) evaluating health outcomes.

(c) Nurse Practitioner Approval.

(1) Qualifications for nurse practitioner approval. A registered nurse shall be approved by the Medical Board and the Board of Nursing before the applicant may practice as a nurse practitioner. The Boards may grant approval to practice as a nurse practitioner to an applicant who:

- (A) is currently duly licensed to practice as a registered nurse by the Board of Nursing; in North Carolina;
- (B) has successfully completed an approved educational program as outlined in Paragraph (d) of this Rule; or, as of January 1, 2000, meets the certification requirements set forth in Subparagraph (d)(2) of this Rule;
- (C) has an unrestricted license to practice as a registered nurse and, if applicable, an unrestricted approval to practice as a nurse practitioner unless the Boards consider such condition and agree to approval;
- (D) submits any information deemed necessary to evaluate the application;
- (E) has a collaborative practice agreement with a primary supervising physicians; and
- (F) pays the appropriate fee.

(2) Application for nurse practitioner approval.

- (A) Application for nurse practitioner approval shall be made upon the appropriate forms and shall be submitted jointly by the nurse practitioner and primary supervising physician(s).

(B) Applications for first-time approval in North Carolina shall be submitted to the Board of Nursing and then approved by both Boards as follows:

- (i) the Board of Nursing will verify compliance with Parts (c)(1)(A) - (D) of this Rule;
- (ii) the Medical Board will verify compliance with Parts (c)(1)(D) - (F) of this Rule; and
- (iii) the appropriate Board will notify applicant of final approval status.

(C) Applications for approval of changes in practice arrangements for a nurse practitioner currently approved to practice in North Carolina:

- (i) addition or change of primary supervising physician shall be submitted to the Medical Board;
- (ii) request for change(s) in the scope of practice shall be submitted to the Joint Subcommittee; and
- (iii) the appropriate Board will notify applicant of final approval status.

(D) Interim status for nurse practitioner applicant may be granted to: a registered nurse who is a new graduate of an approved nurse practitioner educational program as set forth in Paragraph (d) of this Rule; or a registered nurse seeking first time approval to practice as a nurse practitioner in North Carolina who has worked previously as a nurse practitioner in another state and who meets the nurse practitioner educational requirement as set forth in Paragraph (d) of this Rule with the following limitations:

- (i) no prescribing privileges;
- (ii) primary or back-up physicians shall be continuously available for appropriate ongoing supervision, consultation, collaboration and countersigning of notations of medical acts in all patient charts within two working days of nurse practitioner applicant-patient contact;
- (iii) face-to-face consultation with the primary supervising physician shall be weekly with documentation of consultation consistent with Part (i)(4)(D) of this Rule; and
- (iv) may not exceed period of six months.

(E) Beginning January 1, 2000, first time applicants who meet the qualifications for approval, but are awaiting certification from a national credentialing body approved by the Board of Nursing, may be granted a temporary approval to practice as a nurse practitioner. Temporary approval is valid for a period not to

exceed 18 months from the date temporary approval is granted or until the results of the applicant's certification examination are available, whichever comes first.

(F) The registered nurse who was previously approved to practice as a nurse practitioner in this state shall:

- (i) meet the nurse practitioner approval requirements as stipulated in Parts (c)(1)(A), (C) - (F) of this Paragraph;
- (ii) complete the appropriate application;
- (iii) receive notification of approval; and
- (iv) meet the consultation requirements as outlined in Parts (i)(4)(C) - (D) of this Rule.

(G) If for any reason a nurse practitioner discontinues working within the approved nurse practitioner-supervising physician(s) arrangement, the Boards shall be notified in writing and the nurse practitioner's approval shall automatically terminate or be placed on an inactive status until such time as a new application is approved in accordance with this Subchapter. Special consideration may be given in an emergency situation.

(H) Volunteer Approval for Nurse Practitioners. The Boards may grant approval to practice in a volunteer capacity to a nurse practitioner who has met the qualifications as outlined in Parts (c)(1)(A) - (F) and (2)(A) - (G) of this Rule

(d) Requirements for Approval of Nurse Practitioner Educational Programs

(1) A Nurse Practitioner applicant who completed a nurse practitioner educational program prior to December 31, 1999 shall provide evidence of successful completion of a course of formal education which contains a core curriculum including 400 contact hours of didactic education and 400 contact hours of preceptorship or supervised clinical experience.

(A) The core curriculum shall contain as a minimum the following components:

- (i) health assessment and diagnostic reasoning including:
 - (I) historical data;
 - (II) physical examination data;
 - (III) organization of data base;
- (ii) pharmacology;
- (iii) pathophysiology;
- (iv) clinical management of common health care problems and diseases related to:
 - (I) respiratory system;
 - (II) cardiovascular system;
 - (III) gastrointestinal system;
 - (IV) genitourinary system;
 - (V) integumentary system;
 - (VI) hematologic and immune systems;

- (VII) endocrine system;
- (VIII) musculoskeletal system;
- (IX) infectious diseases;
- (X) nervous system;
- (XI) behavioral, mental health and substance abuse problems;

(v) clinical preventative services including health promotion and prevention of disease;

(vi) client education related to Parts (d)(1)(A)(iv) and (v) of this Rule; and

(vii) role development including legal, ethical, economical, health policy and interdisciplinary collaboration issues.

(B) Nurse practitioner applicants who may be exempt from components of the core curriculum requirements listed in Part (d)(1)(A) of this Rule are:

(i) Any nurse practitioner approved in North Carolina prior to January 18, 1981, is permanently exempt from the core curriculum requirement.

(ii) A nurse practitioner certified by a national credentialing body who also provides evidence of satisfying Parts (d)(1)(A)(i) - (iii) of this Rule shall be exempt from core curriculum requirements in Parts (d)(1)(A)(iv) - (vii) of this Rule. Evidence of satisfying Parts (d)(1)(A)(i) - (iii) of this Rule shall include, but may not be limited to:

- (I) a narrative of course content; and
- (II) contact hours.

(iii) A nurse practitioner seeking initial approval after January 1, 1998 shall be exempt from the core curriculum requirements if certified as a nurse practitioner in his/her specialty by a national credentialing body when initial certification was obtained after January 1, 1998.

(iv) A nurse practitioner applicant, whose formal education does not meet all of the stipulations in Subparagraph (d)(1) of this Rule, may appeal to the Joint Subcommittee on the basis of other education and experience.

(2) Instead of educational program approval, all nurse practitioner applicants who are applying for or have received, first time approval to practice as a nurse practitioner on or after January 1, 2000 shall be certified by a national credentialing body approved by the Board of Nursing or be awaiting initial certification by a national credentialing body approved by the Board of Nursing for a period not to exceed 18 months from date temporary approval is

granted.

(e) Annual Renewal.

- (1) Each registered nurse who is approved as a nurse practitioner in this state shall annually renew each approval with the Medical Board no later than 30 days after the nurse practitioner's birthday by:

- (A) Verifying current RN licensure;
- (B) Submitting the fee required in Paragraph (l) of this Rule; and
- (C) Completing the renewal form.

- (2) For the nurse practitioner who had first time approval to practice after January 1, 2000, provide evidence of certification or recertification by a national credentialing body.

- (3) If the nurse practitioner has not renewed within 60 days of the nurse practitioner's birthday, the approval to practice as a nurse practitioner will lapse.

(f) Continuing Education (CE). In order to maintain nurse practitioner approval to practice beginning no sooner than two years after initial approval has been granted, the nurse practitioner shall earn 30 hours of continuing education every two years. At least three hours of continuing education every two years shall be the study of the medical and social effects of substance abuse including abuse of prescription drugs, controlled substances, and illicit drugs. Continuing Education hours are those hours for which approval has been granted by the American Nurses Credentialing Center (ANCC) or Accreditation Council on Continuing Medical Education (ACCME) or other national credentialing bodies. Documentation shall be maintained by the nurse practitioner at each practice site and made available upon request to either Board.

(g) Inactive Status.

- (1) Any nurse practitioner who wishes to place his or her approval on an inactive status may notify the Boards by completing the form supplied by the Boards;
- (2) The registered nurse with inactive nurse practitioner status shall not practice as a nurse practitioner;
- (3) The registered nurse with inactive nurse practitioner status who reapplies for approval to practice shall be required to meet the qualifications for approval as stipulated in Parts (c)(1)(A), (c)(1)(C) - (F) and Part (c)(2)(A) of this Rule: Rule; and shall provide documentation to the Boards of 30 contact hours of practice relevant continuing education during the preceding two years.

(h) Prescribing Authority.

- (1) the The prescribing stipulations contained in this Paragraph apply to writing prescriptions and ordering the administration of medications;
- (2) Prescribing and dispensing stipulations are as follows:
 - (A) Drugs and devices that may be prescribed by the nurse practitioner in each practice site shall be included in the written protocols as outlined in Paragraph (i), Subparagraph (2) of this Rule.
 - (B) Controlled Substances (Schedules 2, 2N, 3, 3N, 4, 5) defined by the State and Federal

Controlled Substances Acts may be procured, prescribed or ordered as established in written protocols, providing all of the following requirements are met:

- (i) the nurse practitioner has an assigned DEA number which is entered on each prescription for a controlled substance;
- (ii) dosage units for schedules 2, 2N, 3 and 3N are limited to a 30 day supply; and
- (iii) the prescription or order for schedules 2, 2N, 3 and 3N may not be refilled.

- (C) The nurse practitioner may prescribe a drug not included in the site-specific written protocols only as follows:

- (i) upon a specific written or verbal order obtained from a primary or back-up supervising physician before the prescription or order is issued by the nurse practitioner; and
- (ii) the verbal or written order as described in Subpart (h)(2)(C)(i) of this Rule shall be entered into the patient record with a notation that it is issued on the specific order of a primary or back-up supervising physician and signed by the nurse practitioner and the physician.

- (D) Refills may be issued for a period not to exceed one year except for schedules 2, 2N, 3 and 3N controlled substances which may not be refilled.

- (E) Each prescription shall be noted on the patient's chart and include the following information:

- (i) medication and dosage;
- (ii) amount prescribed;
- (iii) directions for use;
- (iv) number of refills; and
- (v) signature of nurse practitioner.

- (F) The prescribing number assigned by the Medical Board to the nurse practitioner shall appear on all prescriptions issued by the nurse practitioner.

- (G) Prescription Format:

- (i) all prescriptions issued by the nurse practitioner shall contain the supervising physician(s) name, the name of the patient, and the nurse practitioner's name, telephone number, and prescribing number;
- (ii) the nurse practitioner's assigned DEA number shall be written on the prescription form when a controlled substance is prescribed as defined in Paragraph (h) Part (B) of this Rule; and

- (3) The nurse practitioner may obtain approval to dispense the drugs and devices included in the written protocols for each practice site from the Board of

Pharmacy, and dispense in accordance with 21 NCAC 46 .1700, which is hereby incorporated by reference including subsequent amendments of the referenced materials.

(i) Quality Assurance standards for a Collaborative Practice Agreement.

(1) Availability: The primary or back-up supervising physician(s) and the nurse practitioner shall be continuously available to each other for consultation by direct communication or telecommunication.

(2) Written Protocols:

(A) Written protocols shall be agreed upon and signed by both the primary supervising physician and the nurse practitioner, and maintained in each practice site.

(B) Written protocols shall be reviewed at least yearly, and this review shall be acknowledged by a dated signature sheet, signed by both the primary supervising physician and the nurse practitioner, appended to the written protocol and available for inspection by members or agents of either board: Board.

(C) The written protocols shall include the drugs, devices, medical treatment, tests and procedures that may be prescribed, ordered and implemented by the nurse practitioner consistent with Paragraph (h) of this Rule, and which are appropriate for the diagnosis and treatment of the most commonly encountered health problems in that practice setting.

(D) The written protocols shall include a pre-determined plan for emergency services.

(E) The nurse practitioner shall be prepared to demonstrate the ability to perform medical acts as outlined in the written protocols upon request by members or agents of either Board.

(3) Quality Improvement Process.

(A) The primary supervising physician and the nurse practitioner shall develop a process for the on-going review of the care provided in each practice site to include a written plan for evaluating the quality of care provided for one or more frequently encountered clinical problems; and

(B) This plan shall include a description of the clinical problem(s), an evaluation of the current treatment interventions, and if needed, a plan for improving outcomes within an identified time-frame;

(C) The quality improvement process shall include scheduled meetings between the primary supervising physician and the nurse practitioner at least every six months. Documentation for each meeting shall:

- (i) identify clinical problems discussed, including progress toward improving outcomes as stated in Part (i)(3)(B) of

this Rule, and recommendations, if any, for changes in treatment plan(s);

- (ii) be signed and dated by those who attended; and

- (iii) be available for review by members or agents of either Board for the previous five calendar years and be retained by both the nurse practitioner and physician.

(4) Nurse Practitioner-Physician Consultation. The following requirements establish the minimum standards for consultation between the nurse practitioner/primary or back-up supervising physician(s):

(A) The nurse practitioner with temporary approval shall have:

- (i) review and countersigning of notations of medical acts by a primary or back-up supervising physician within seven days of nurse practitioner-patient contact for the first six months of collaborative agreement. This time-frame includes the period of interim status.

- (ii) face-to-face consultation with the primary supervising physician on a weekly basis for one month after temporary approval is achieved and at least monthly throughout the period of temporary approval.

(B) The nurse practitioner with first time approval to practice shall have:

- (i) review and countersigning of notations of medical acts by a primary or back-up supervising physician within seven days of nurse practitioner-patient contact for the first six months of collaborative agreement. This time-frame includes the period of interim status.

- (ii) face-to-face consultation with the primary supervising physician on a weekly basis for one month after full approval is received and at least monthly for a period no less than the succeeding five months.

(C) The nurse practitioner previously approved to practice in North Carolina who changes primary supervising physician shall have face-to-face consultation with the primary supervising physician weekly for one month and then monthly for the succeeding five months.

(D) Documentation of consultation shall:

- (i) identify clinical issues discussed and actions taken;
- (ii) be signed and dated by those who attended; and

- (iii) be available for review by members or

agents of either Board for the previous five calendar years and be retained by both the nurse practitioner and physician.

(j) Method of Identification. The nurse practitioner shall wear an appropriate name tag spelling out the words "Nurse Practitioner."

(k) Disciplinary Action. The approval of a nurse practitioner may be restricted, denied or terminated by the Medical Board and the registered nurse license may be restricted, denied, or terminated by the Board of Nursing, if after due notice and hearing in accordance with provisions of Article 3A of G.S. 150B, the appropriate Board shall find one or more of the following:

- (1) that the nurse practitioner has held himself or herself out or permitted another to represent the nurse practitioner as a licensed physician;
- (2) that the nurse practitioner has engaged or attempted to engage in the performance of medical acts other than according to the written protocols and collaborative practice agreement;
- (3) that the nurse practitioner has been convicted in any court of a criminal offense;
- (4) that the nurse practitioner is adjudicated mentally incompetent or that the nurse practitioner's mental or physical condition renders the nurse practitioner unable to safely function as a nurse practitioner; or
- (5) that the nurse practitioner has failed to comply with any of the provisions of this Rule.

(l) Fees:

- (1) An application fee of one hundred dollars (\$100.00) shall be paid at the time of initial application for approval and each subsequent application for approval to practice. All initial, subsequent and volunteer application fees shall be equally divided between the Board of Nursing and the Medical Board. No other fees are shared. Application fee shall be twenty dollars (\$20.00) for volunteer approval.
- (2) The fee for annual renewal of approval shall be fifty dollars (\$50.00).
- (3) The fee for annual renewal of volunteer approval, shall be ten dollars (\$10.00).
- (4) No portion of any fee in this Rule is refundable.

(m) Practice During a Disaster. A nurse practitioner approved to practice in this State or another state is authorized to perform medical acts, tasks, or functions as a nurse practitioner under the supervision of a physician licensed to practice medicine in North Carolina during a disaster with a county in which a state of disaster has been declared or counties contiguous to a county in which a state of disaster has been declared. The nurse practitioner shall notify the Boards in writing of the names, practice locations and telephone numbers for the nurse practitioner and each primary supervising physician within 15 days of the first performance of medical acts, tasks, or functions as a nurse practitioner during the disaster. Teams of physician(s) and nurse practitioner(s) practicing pursuant to this Rule shall not be required to maintain on-site documentation

describing supervisory arrangements and instructions for prescriptive authority as otherwise required pursuant to Paragraphs (h) and (i) of this Rule.

Authority G.S. 90-6; 90-18(c)(13),(14); 90-18.2; 90-171.20(4); 90-171.20(7); 90-171.23(b); 90-171.36; 90-171.37; 90-171.42; 90-171.83.

SECTION .0300 - APPROVAL OF NURSING PROGRAMS

.0318 FACULTY

(a) Both full-time and part-time faculty members shall be considered nursing program faculty. When part-time faculty are utilized, evidence shall exist of their participation in curriculum implementation and evaluation.

(b) Policies for nursing program faculty members shall reflect those of the institution; however, variations in these policies may be necessary because of the nature of the nursing curriculum.

(c) Qualifications for nurse faculty members shall be stated and reflect knowledge and experiences in clinical nursing and teaching which are appropriate for assigned responsibilities.

(d) Faculty members who teach non-nursing courses required in the nursing curriculum shall have appropriate academic and experiential qualifications for the program areas in which they participate.

(e) Each nurse faculty member shall hold a current unrestricted license to practice as a registered nurse in North Carolina. The program director shall be held accountable for validating and documenting current registered nurse licensure to practice as a registered nurse in North Carolina.

(f) Each nurse faculty member shall hold a baccalaureate in nursing or a baccalaureate with a major in nursing. Exceptions are:

- (1) the individual who holds a master's degree in nursing and a baccalaureate in another discipline;
- (2) the individual employed as a faculty member prior to January 1, 1998, who holds a baccalaureate in another discipline. This exception applies to continuing employment in the current setting.

(g) Each nurse faculty member employed after January 1, 1984, shall have had a minimum of two years prior employment in direct patient care. Each nurse faculty member employed after January 1, 1998, shall have had a minimum of two year's prior employment in direct patient care as a registered nurse. Each nurse faculty member employed after July 1, 1992, shall have had a minimum of two calendar year's prior full-time employment or the equivalent in clinical nursing practice as a registered nurse.

(h) In addition to all qualifications for nurse faculty members, the nurse director of a practical nurse education program employed as such after January 1, 1984, shall have had at least two year's full-time experience teaching in nursing program(s).

(i) In addition to all qualifications for nurse faculty member, the nurse director of a program preparing individuals for registered nurse practice shall hold a baccalaureate and a master's degree, one of which shall be in nursing; and if

employed after January 1, 1984, shall have had at least two year's full-time experience teaching at or above the academic level of the program. For purposes of this standard, associate degree and diploma nursing program levels are considered comparable.

(j) In addition to all qualifications for nurse faculty members, the nurse faculty member in a program preparing individuals for registered nurse practice who has primary responsibility, designated by the program, for coordinating the planning, implementation, and evaluation, of each major clinical nursing course shall hold a master's degree. This nurse faculty member shall also have had a minimum of one academic year of full-time teaching experience in a nursing program.

(k) In addition to all qualifications for nurse faculty members, the nurse faculty member in a program preparing individuals for practical nurse licensure who has primary responsibility, designated by the program, for coordinating the planning, implementation and evaluation of each major clinical nursing course, shall have had a minimum of one academic year of full-time teaching experience in a nursing program.

(l) The nurse faculty members shall have the appropriate authority and responsibility for:

- (1) student admission, progression, and graduation requirements; and
- (2) the development, implementation, and evaluation of the curriculum.

(m) The nurse faculty members shall be sufficient in number to implement the curriculum as demanded by the course objectives, the levels of the students, and the nature of the learning environment. The faculty-student ratio in clinical areas shall depend upon the level of students, the acuity of patients, and the average daily census in the unit. the ratio shall be 1:10 or less. Request to exceed the 1:10 ratio shall be submitted to the Board or its' designated representatives for approval prior to implementation. Request may be approved for one academic term only.

(n) There shall be written annual evaluation of each nurse faculty member by the program director or a designee; and evidence of written evaluation of the program director by an immediate supervisor according to the institutional policy.

Authority G.S. 90-171.23(b)(8); 90-171.38; 90-171.83.

SECTION .0400 - UNLICENSED PERSONNEL: NURSE AIDES

.0404 LISTING AND RENEWAL

(a) All nurse aide II's, as defined in Rule .0403(b) of this Section, Section, regardless of working title, employed or assigned in a service agency or facility for the purpose of providing nursing care activities shall be listed on the Board of Nursing Nurse Aide II Registry and shall meet the following requirements;

- (1) successful completion of a nurse aide II program or its Board approved equivalent;
- (2) listed as a Level I nurse aide on the DFS Nurse Aide Registry with no substantiated findings of abuse,

neglect, or misappropriation of property; and

- (3) submission of an application to the Board of Nursing for placement on the Board of Nursing Nurse Aide II Registry prior to working as a nurse aide II.

The application shall be submitted with the required fee within 30 days of completion of the nurse aide II program. Application for initial listing received in the Board office between April and June shall show an expiration day of June 30 of the following year.

(b) Nursing students currently enrolled in Board of Nursing approved nursing programs desiring listing as a nurse aide II shall submit:

- (1) An application with fee; and
- (2) A listing form completed by the nursing program director indicating successful completion of course work equivalent in content and clinical hours to that required for a nurse aide II.

(c) Registered nurses and licensed practical nurses who hold current, unrestricted licenses in North Carolina, and registered nurses and licensed practical nurses in the discipline process by the Board of Nursing who have been granted approval by the Board of Nursing or its designee may make application as a nurse aide II.

(d) An individual previously enrolled in a Board approved nursing program leading to licensure as RN or LPN may list with no additional testing provided the student withdrew from school in good standing within the last 24 months and completed the equivalent content and clinical hours. Such individual shall submit listing form as described in Paragraph (b)(2) of this Rule. If the student was in good standing upon withdrawal from the school and withdrew from the school in excess of 24 months, the student must complete entire nurse aide II program.

(e) Individuals who have completed a training course equivalent in content and clinical hours to the nurse aide II program, may submit documentation of same to the Board of Nursing for review. If training is equivalent, the individual may submit the application with required fee and be listed on the Board of Nursing Nurse Aide Registry as a nurse aide II.

(f) An employing agency or facility may choose up to four nurse aide II tasks to be performed by nursing aide I personnel without the nurse aide I completing the entire nurse aide II program. These tasks are individual activities which may be performed after the nurse aide has received the approved training and competency evaluation as defined in Rule .0403(b) of this Section.

- (1) The agency may obtain the selected tasks curriculum model from the nearest Community College or the Board of Nursing or may submit a self generated curriculum to the Board for approval. Board approval must be obtained prior to teaching the nurse aide II tasks.
- (2) Once approval has been obtained, the Board of Nursing must be notified of the nurse aide II task(s) that will be performed by nurse aide I personnel in the agency and for which all Board stipulations have been met. The notification of nurse aide II task(s) form which may be requested from the Board office shall

be used. Each agency shall receive a verification letter once the Board has been appropriately notified.

- (3) Documentation of the training and competency evaluation must be maintained for each nurse aide I who is approved to perform nurse aide II task(s) within the agency.

(g) Each nurse aide II shall renew listing with the Board of Nursing biennially on forms provided by the Board. The renewal application shall be accompanied by the required fee.

- (1) To be eligible for renewal, the nurse aide II must have worked at least eight hours for compensation during the past 24 months performing nursing care activities under the supervision of a Registered Nurse.
- (2) Any nurse aide II who has had a continuous period of 24 months during which no nursing care activities were performed for monetary compensation but who has performed patient care activities for monetary compensation shall successfully complete the competency evaluation portion of the nurse aide II program and submit application in order to be placed on the Board of Nursing Nurse Aide II Registry.
- (3) A nurse aide II who has performed no nursing care or patient care activities for monetary compensation within the past 24 months must successfully complete a nurse aide II program prior to submitting the application for renewal.
- (4) Failure to renew listing card by expiration date may result in a reinstatement penalty.
- (4) (5) A nurse aide II who has substantiated findings of abuse, neglect, or misappropriation of funds of the DFS Nurse Aide Registry shall not be eligible for renewal as a nurse aide II.

Authority G.S. 90-171.19; 90-171.20(2)(4)(7)d.,e.,g.; 90-171.43(4); 90-171.55; 90-171.83; 42 U.S.C.S. 1395i-3(1987).

.0405 APPROVAL OF NURSE AIDE EDUCATION PROGRAMS

(a) The Board of Nursing shall accept those programs approved by DFS to prepare the nurse aide I.

(b) The North Carolina Board of Nursing shall approve nurse aide II programs. Nurse aide II programs may be offered by an individual, agency, or educational institution after the program is approved by the Board.

- (1) Each entity desiring to offer a nurse aide II program shall submit a program approval application at least 60 days prior to offering the program. It shall include documentation of the following standards:
 - (A) policy established which provides for supervised clinical experience with faculty/student ratio not to exceed 1:10;
 - (B) Board of Nursing approval of each clinical facility for student use as defined in 21 NCAC 36.0322(b);
 - (C) a written contract between the program and clinical facility prior to admitting students to the facility for clinical experience;

(D) admission requirements which include:

- (i) successful completion of nurse aide I training program or Board of Nursing established equivalent and current nurse aide I listing on DFS Registry; and
- (ii) GED or high school diploma; and
- (iii) other admission requirements as identified by the program; and

(E) policy regarding the processing and disposition of program and student complaints.

- (2) Level II nurse aide programs shall include a minimum of 80 hours of theory and 80 hours of supervised clinical instruction consistent with the legal scope of practice as defined by the Board of Nursing in Rule .0403(b) of this Section. Changes made by the Board of Nursing in content hours or scope of practice in the nurse aide II program shall be published in the Bulletin. Requests by the programs to modify the nurse aide II Course content shall be directed to the Board office.
- (3) The Board shall identify and publish minimum competency and qualifications for faculty for the nurse aide Level II programs. These are:
 - (A) hold a current unrestricted North Carolina license to practice as a registered nurse; nurse in North Carolina;
 - (B) have had at least two years of direct patient care experiences as an R.N.; and
 - (C) have experience teaching adult learners.
- (4) Each nurse aide II program shall furnish the Board records, data, and reports requested by the Board in order to provide information concerning operation of the program and any individual who successfully completes the program.
- (5) When an approved nurse aide II program closes, the Board shall be notified in writing by the program. The Board shall be informed as to permanent storage of student records.

(c) An annual program report shall be submitted by the Program Director to the Board of Nursing on Board form by March 15 of each year. Failure to submit annual report shall result in administrative action affecting approval status as described in 21 NCAC 36.0405(5)(d) and (e). Complaints regarding nurse aide II programs may result in an on site survey by the North Carolina Board of Nursing.

(d) Approval status shall be determined by the Board of Nursing using the annual program report, survey report and other data submitted by the program, agencies, or students. The determination shall result in full approval or approval with stipulations.

(e) If stipulations have not been met as specified by the Board of Nursing, a hearing shall be held by the Board of Nursing regarding program approval status. A program may continue to operate while awaiting the hearing before the Board. **EXCEPTION:** In the case of summary suspension of approval as authorized by G.S. 150B(3)(c), the program must immediately cease operation.

- (1) When a hearing is scheduled, the Board shall cause notice to be served on the program and shall specify a date for the hearing to be held not less than 20 days from the date on which notice is given.
- (2) If the Board determines from evidence presented at hearing that the program is complying with the Law and all rules, the Board shall assign the program Full Approval status.
- (3) If the Board, following a hearing, finds that the program is not complying with the Law and all rules, the Board shall withdraw approval.
 - (A) This action constitutes discontinuance of the program; and
 - (B) The parent institution shall present a plan to the Board for transfer of students to approved programs or fully refund tuition paid by the student. Closure shall take place after the transfer of students to approved programs within a time frame established by the Board; and
 - (C) The parent institution shall notify the Board of the arrangements for storage of Permanent records.

Authority G.S. 90-171.20(2)(4)(7)d.,e.,g.; 90-171.43(4); 90-171.55; 90-171.83; 42 U.S.C.S. 1395i-3(1987).

SECTION .0700 - NURSE LICENSURE COMPACT

.0701 DEFINITIONS OF TERMS IN THE COMPACT

(a) For the purpose of the Compact enacted into Law G.S. 90, Article 9G:

- (1) "Board" means party state's regulatory body responsible for issuing nurses licenses.
- (2) "Information system" means the coordinated licensure information system.
- (3) "Primary state of residence" means the state of a person's declared fixed permanent and principal home for legal purposes; domicile.
- (4) "Public" means any individual or entity other than designated staff or representatives of party state Boards or the National Council of State Boards of Nursing, Inc.

(b) Other terms used in this Section are as defined in G.S. 90-171.82.

Authority G.S. 90-171.82; 90-171.87(4); 90-171.88(d)(e).

.0702 ISSUANCE OF A LICENSE BY A COMPACT PARTY STATE

For the purpose of the Compact:

- (1) A nurse applying for a license in a home party state shall produce evidence of the nurses' primary state of residence. Such evidence shall include a declaration signed by the licensee attesting to the licensee's primary state of residence. Further evidence that may be requested includes, but is not limited to:

- (a) Driver's license with a home address;
 - (b) Voter registration card displaying a home address; or
 - (c) Federal income tax return declaring the primary state of residence.
- (2) A nurse changing primary state of residence, from one party state to another party state, may continue to practice under the former home state license and multistate licensure privilege during the processing of the nurse's licensure application in the new home state for a period not to exceed 30 days.
 - (3) The licensure application in the new home state of a nurse under pending investigation by the former home state shall be held in abeyance. The 30-day period in Item (2) of this Rule shall be stayed until resolution of the pending investigation.
 - (4) The former home state license shall no longer be valid upon the issuance of a new home state license.
 - (5) If a decision is made by the new home state denying licensure, the new home state shall notify the former home state within 10 business days and the former home state may take action in accordance with that state's laws and rules.

Authority G.S. 90-171.82(6); 90-171.83(a)(b); 90-171.85(b); 90-171.87(4).

.0703 LIMITATIONS ON MULTISTATE LICENSURE PRIVILEGE

Home state Boards shall include in all licensure disciplinary orders or agreements that limit practice or require monitoring the requirement that the licensee subject to said order or agreement will agree to limit the licensee's practice to the home state during the pendency of the disciplinary order or agreement. This requirement may, in the alternative, allow the nurse to practice in other party states with prior written authorization from both the home state and such other party state Boards.

Authority G.S. 90-171.37; 90-171.85(f); 90-171.87(4).

.0704 INFORMATION SYSTEM

(a) Levels of access

- (1) The public shall have access to nurse licensure information limited to:

- (A) the nurse's name;
- (B) jurisdiction(s) of licensure;
- (C) license expiration date(s);
- (D) licensure classification(s) and status(es);
- (E) public emergency and final disciplinary actions, as defined by contributing state authority; and
- (F) the status of multistate licensure privileges.

- (2) Non-party state Boards shall have access to all Information System data except current significant investigative information and other information as limited by contributing party state authority.

- (3) Party state Boards shall have access to all Information

System data contributed by the party states and other information as limited by the contributing state authority.

(b) The licensee may request in writing to the home state Board to review the data relating to the Licensee in the Information System. In the event a licensee asserts that any data relating to him or her is inaccurate, the burden of proof shall be upon the licensee to provide evidence that substantiates such claim. The Board shall verify and within 10 business days correct inaccurate data to the Information System.

(c) The Board shall report to the Information System within 10 business days:

- (1) disciplinary action, agreement or order requiring participation in alternative programs or which limit practice or require monitoring (except agreements and orders relating to participation in alternative programs required to remain nonpublic by contributing state authority);
- (2) dismissal of complaint; and
- (3) changes in status of disciplinary action or licensure encumbrance.

(d) Current significant investigative information shall be deleted from the Information System within 10 business days upon report of disciplinary action, agreement or order requiring participation in alternative programs or agreements which limit practice or require monitoring or dismissal of a complaint.

(e) Changes to licensure information in the Information System shall be completed within 10 business days upon notification by a Board.

Authority G.S. 90-171.87(4); 90-171.88.

.0705 PARTY STATE LICENSURE REQUIREMENTS

Party state licensure requirements for registered nurses and licensed practical nurses shall be considered substantially equivalent by the North Carolina Board of Nursing when current requirements include:

- (1) completion of a nursing education program approved by the jurisdiction of original licensure; and
- (2) successful completion of the licensing examination developed by the National Council of State Boards of Nursing, Inc.

Authority G.S. 90-171.32; 90-171.87(4); 90-171.94.

CHAPTER 60 - BOARD OF REFRIGERATION EXAMINERS

Notice is hereby given in accordance with G.S. 150B-21.2 that the State Board of Refrigeration Examiners intends to adopt rule cited as 21 NCAC 60.0316 and amend rules cited as 21 NCAC 60.0102, .0207, .0311, .1102. Notice of Rule-making Proceedings was published in the Register on October 15, 1999.

Proposed Effective Date: July 1, 2000

Instructions on How to Demand a Public Hearing (must be requested in writing within 15 days of notice): A demand for a public hearing must be made in writing addressed to Barbara Hines, PO Box 10666, Raleigh, NC 27605. The demand must be received by December 31, 1999.

Reason for Proposed Action: Changes the street address of the Board, clarifies the definition of general supervision, requires licensees to notify the Board of address changes, sets out some specific circumstances under which applications for examination or licensure may be denied, and clarifies the procedure for preferring charges against refrigeration contractors.

Comment Procedures: Any interested person may submit written comments on the proposed rules by mailing the comments to Barabara H. Hines, PO Box 10666, Raleigh, NC 27605 by January 14, 2000.

Fiscal Impact

State	Local	Sub. None
		✓

SECTION .0100 - ORGANIZATION AND DEFINITIONS

.0102 OFFICE OF BOARD

The Board's office is located at 410 Oberlin Rd., Suite 410 616 W. Johnson St., Raleigh, North Carolina. The Board's mailing address is P.O. Box 10666, Raleigh, North Carolina 27605. The Board's rules are available for inspection at this office during regular office hours. The materials used in rule-making decisions will be available for inspection at said office.

Authority G.S. 87-54; 150B-11(2).

SECTION .0200 - EXAMINATIONS

.0207 REQUIREMENTS FOR EXAMINATION APPLICANTS

(a) An applicant for the commercial refrigeration examination shall be eligible to take that examination upon:

- (1) Filing with the Board an application, on a form provided by the Board, together with the combined examination-license fee.
- (2) Furnishing with his application information verifying that he has acquired at least 4000 hours of commercial refrigeration experience gained while engaged actively and directly in the installation, maintenance, servicing or repairing of commercial, industrial or institutional refrigeration equipment.

(b) An applicant for the transport refrigeration examination shall be eligible to take that examination upon:

- (1) Filing with the Board an application, on a form provided by the Board, together with the combined examination license fee.

- (2) Furnishing with his application information verifying that he has acquired at least 4000 hours of transport or commercial refrigeration experience or a combination of both gained while engaged actively and directly in the installation, maintenance, servicing or repairing of transport or commercial refrigeration equipment or a combination of both.

(c) Prior to filing the application, qualifying experience shall be acquired while working under the supervision of a person who holds a valid refrigeration contractor's license, who is a registered professional engineer or who has equivalent industry experience. Up to one-half of the experience may be in academic or technical training directly related to the field of endeavor for which the examination is requested. Applicants who obtain a license shall receive a certificate issued by the Board, bearing that license number. The license shall not be assigned or transferred to another individual.

(d) An individual holding a valid transport contractor refrigeration license shall be eligible to sit for the commercial refrigeration examination upon filing with the Board an application, on a form provided by the Board, together with the combined examination-license fee.

(e) The deadline for receipt of applications for a regular examination shall be six weeks prior to the examination date. If an application is received after the published deadline, it shall be returned to the applicant, and he shall be notified that he may apply for and take the next examination. This requirement may be waived for illness, personal necessity or similar extenuating circumstances. The Board shall publish the deadline for application receipt in selected newspapers, on posters mailed to all refrigeration wholesalers in North Carolina and in its quarterly newsletter.

(f) If a person files an application for examination which is accepted, and takes and fails the examination, his verification of refrigeration experience shall be kept and shall be sufficient for taking any future examination, provided he files another application accompanied by the required fee.

(g) The Board may deny an examination applicant permission to take an examination when it finds the applicant is not eligible, regardless of whether it has previously notified the applicant that he may take the examination. The Board may refuse to issue a license to a licensee when it finds the applicant is not qualified, regardless of whether the applicant has passed the appropriate examination. An applicant may contest the Board's decision by requesting an administrative hearing.

Authority G.S. 87-54; 87-58.

SECTION .0300 - LICENSES AND FEES

.0311 PERMITS

(a) The refrigeration license number of the licensee shall appear on all permits as issued by a municipality.

(b) A licensed contractor shall obtain permits and allow his number to appear on permits only for work over which he will provide general supervision until the completion of the work, and for which he holds the contract.

- (1) General supervision is that degree of supervision which is necessary and sufficient to ensure that the work is performed in a competent manner and with the requisite skill and that the work is done timely, safely and in accordance with applicable codes and rules. General supervision requires that the review of the work be performed in person by the licensee while the work is in progress.

- (2) Each business office for which a licensee is responsible shall be actively and locally supervised by that licensee who shall have primary responsibility and a corresponding amount of time personally involved in the work contracted for or performed by that office.

Authority G.S. 87-54; 87-58(g).

.0316 CHANGE OF ADDRESS

All licensees shall notify the Board in writing within 30 days of any change of address or business location.

Authority G.S. 87-58.

SECTION .1100 - DISCIPLINARY ACTION

.1102 PREFERRING CHARGES

(a) Any person who believes that any refrigeration contractor is in violation of the provisions of G.S. 87-59 may prefer charges against such contractor by setting forth the charges in writing with particularity including, but not limited to, the date and place of the alleged violation. Such charges shall be signed and sworn to by the party preferring such charges and filed with the Executive Director of the State Board of Refrigeration Examiners at the office of the Board, 410 Oberlin Rd., 616 W. Johnson St., P.O. Box 10666, Raleigh, North Carolina 27605.

(b) A licensee who prefers charges against a refrigeration contractor shall cooperate with the Board in its investigation of the complaint including the execution of an affidavit covering their knowledge of the facts and circumstances concerning the complaint, if required, and participate in any legal action authorized by the Board if requested by the Board or its representative.

(c) A licensee shall fully cooperate with the Board in connection with any inquiry it shall make. Full cooperation includes responding in a timely manner to all inquiries of the Board or representative of the Board and claiming Board correspondence from the U.S. Postal Service.

Authority G.S. 87-59.

TITLE 26 - OFFICE OF ADMINISTRATIVE HEARINGS

Notice is hereby given in accordance with G.S. 150B-21.2 that the Office of Administrative Hearings intends to adopt

rule cited as 26 NCAC 3 .0119 and amend rules cited as 26 NCAC 1 .0101, .0103; 2C .0103, .0105, .0108, .0303, .0306, .0403; 3 .0101. Notice of Rule-making Proceedings was published in the Register on October 15, 1999.

Proposed Effective Date: August 1, 2000

A Public Hearing will be conducted at 10:00 am on January 14, 2000 at 422 N. Blount Street, Raleigh, NC.

Reason for Proposed Action: To amend rules relating to or affected by the following considerations: cost for copies obtained from OAH; format of rules and other provisions that are affected by OAH converting the Register and Code database from WordPerfect to Word; cost of electronic and email subscriptions to the Register; acceptance of filings to OAH via electronic and facsimile transmission; and to conform attorney leave in OAH to that recently provided in General Court of Justice.

Comment Procedures: Written comments must be directed to Joey Propst, Rulemaking Coordinator, 6714 Mail Service Center, Raleigh, NC 27699-6714 or faxed to (919) 733-3462. Oral comments may be presented at the hearing. Comments must be received no later than January 14, 2000.

Fiscal Impact

State	Local	Sub.	None
✓			26 NCAC 1.0103, 2C .0303
		✓	all others

CHAPTER 1 - GENERAL

SECTION .0100 - GENERAL

.0101 LOCATION

(a) The principal office of the Office of Administrative Hearings is located at 424 North Blount Street, Raleigh, North Carolina. The mailing address is 6714 Mail Service Center, Raleigh, NC 27699-6714.

(b) Forms and information about the office may be obtained from the agency's website at: www.oah.state.nc.us.

Authority G.S. 7A-751(a).

.0103 COST FOR COPIES

(a) Copies of any public documents filed in the Office of Administrative Hearings are available in the following forms:

- (1) looseleaf form at a cost of two dollars and fifty cents (\$2.50) for up to ten pages and fifteen cents (\$0.15) per page for each page in excess of ten; and twenty-five cents (\$0.25) per page with a minimum cost of two dollars and fifty cents (\$2.50); and
- (2) 3 1/2 inch or 5 1/4 inch diskette at a cost of five dollars (\$5.00) per diskette if the document is available in electronic form.

(b) Certified copies of any public document filed in the Office of Administrative Hearings are available at a cost of one dollar (\$1.00) per certification in addition to the looseleaf copying cost. Diskette certification is not available.

(c) Transcripts or tapes are available of contested case hearings. Reference should be made to Rule 26 NCAC 3 .0122 for ~~procedures~~ Procedures for requesting and costs of transcripts or tapes: tapes are in 26 NCAC 3 .0122.

(d) North Carolina sales tax shall be added if applicable.

Authority G.S. 150B-21.25; 150B-37.

**SUBCHAPTER 2C - SUBMISSION PROCEDURES
FOR RULES AND OTHER DOCUMENTS TO BE
PUBLISHED IN THE NORTH CAROLINA
REGISTER AND THE NORTH CAROLINA
ADMINISTRATIVE CODE**

SECTION .0100 - GENERAL

.0103 ORIGINAL AND DUPLICATE COPY

(a) The agency shall submit an original and one copy of any document and form for publication in the Register or Code.

(b) With the exception of Temporary Rules, the Office of Administrative Hearings shall permit the filing of documents for publication in the Code and Register electronic transmission during regular business hours; provided the original document and one copy is received by OAH within five business days following the electronic transmission. Electronic transmissions submitted for filing with OAH shall use the electronic forms available on the Office of Administrative Hearings internet web site: <http://www.oah.state.nc.us/> other electronic transmissions, for example, electronic mail, shall not constitute a valid filing with the OAH under this Rule.

(c)(b) The agency shall include an additional copy of the rule and a copy of the fiscal note and attachments with any permanent rule that is submitted to the Commission.

(d)(c) ~~The original and form shall each be permanently marked as the original. The agency shall permanently mark the original rule and form as original.~~

Note: Rules Review Commission requests that documents be submitted in the following order:

- (1) the original submission form;
- (2) the agency return copy of the submission form, if any;
- (3) the copy of the submission form;
- (4) the original of the rule;
- (5) the copy, highlighted if required by Rule .0405 of this Subchapter;
- (6) the agency return copy of the rule, if any;
- (7) the copy of the fiscal note and attachments;
- (8) the remaining copy for RRC.

Authority G.S. 150B-21.17; 150B-21.18; 150B-21.19.

.0105 ELECTRONIC VERSION

(a) The electronic version shall be a 3 1/2 inch (1.44 Mb) high density diskette compatible with or convertible to WordPerfect

6.1; DOS 5.0. (A list of compatible and convertible software is available from OAH.) the most recent version of Word for Windows. The filed diskette shall identify the name of the document to be retrieved and the software used. OAH shall refuse to accept for publication any document in which the diskette is not compatible with or convertible to the publication software: the most recent version of Word for Windows.

(b) An electronic version shall not be required if an agency that is unable to provide a diskette that is compatible with or convertible to WordPerfect 6.1; DOS 5.0 the most recent version of Word for Windows submits a written statement to the Codifier of Rules to that effect. This statement shall be signed by the agency head or rule-making coordinator.

(c) An electronic version shall not be required if the agency submits the document(s) by email pursuant to 26 NCAC 2C .0103(b).

Authority G.S. 150B-21.17; 150B-21.18; 150B-21.19.

.0108 GENERAL FORMAT INSTRUCTIONS

The agency shall format each rule submitted to OAH for publication in the Register or Code as follows:

(1) Paper Specifications:

- (a) an 8½ by 11 inch sheet of plain white paper, 16 to 32 lb.;
- (b) one side of the sheet only;
- (c) black ink;
- (d) print font size shall be 10 point;
- (e) portrait print (8½ x 11), no landscape printing (11 x 8½);
- (f) numbered lines on the left margin with each page starting with line 1;
- (g) 1.5 line spacing;
- (h) each rule that has more than one page of text shall have page numbers appearing at the bottom of the page; and
- (i) no staples.

(2) Tab and Margin Settings:

- (a) Tab settings for all rules shall be set relative from the left margin at +0.13"Left, +0.38"Right, +0.57"Left, +0.75"Right, +0.94"Left, +1.13"Right, +1.31"Left, +1.5"Right, +1.69"Left, +1.88"Right. The default tab setting of every ½" may be used for tables and charts; increments of .5;
- (b) line numbers shall be set at .60 from left edge of paper; and
- (c) text shall be with a one inch margin on all sides.

(3) The Introductory Statement shall start on page 1, line 1 of each rule.

(4) When a new chapter, subchapter, or section of rules is adopted, the Chapter, Subchapter, and Section names shall be provided in bold print with the first rule following the introductory statement. One line Two lines shall be skipped between the introductory statement and each chapter, subchapter, and section

name.

(5) One line Two lines shall be skipped before starting the line that provides the rule number and rule name. The decimal in the rule number shall be placed in position 1. One tab Two tabs shall be between the rule number and rule name. The rule name shall be in capital letters and the rule number and name shall be in bold print.

(6) Body of the Rule:

(a) the body of the rule shall start on the line immediately following the rule name with the following markings:

- (i) adoptions - new text shall be underlined;
- (ii) amendments - any text to be deleted shall be struck through and new text shall be underlined;
- (iii) repeals - text of the rule shall not be included;

(b) there shall be no lines skipped in the body of the rule except before and in tables;

(c) the first level of text shall ~~start with one tab~~ and be flush left with two spaces after parenthesis;

(d) the second level of text shall start with ~~two tabs~~ one tab and one hanging indent after parenthesis;

(e) the third level of text shall start with ~~four~~ three tabs and one hanging indent after parenthesis;

(f) the fourth level of text shall start with ~~six~~ five tabs and one hanging indent after parenthesis;

(g) the fifth level of text shall start with ~~eight~~ seven tabs and one hanging indent after parenthesis;

(h) the sixth level of text shall start with ~~ten~~ nine tabs and one hanging indent after parenthesis.

(7) Punctuation shall be considered part of the previous word when underlining or striking through text, such as:

(a) when the previous word is deleted, the punctuation shall also be struck through with the previous word; and

(b) when punctuation is added after an existing word, the existing word shall be struck through and followed by the word and punctuation underlined.

The smallest unit of text to be struck through or underlined shall be an entire word or block of characters separated from other text by spaces.

(8) Charts or Tables shall be in a format that is accommodated by WordPerfect 6.1: the most recent version of Word for Windows.

(9) History Note:

- (a) shall be in italic font;
- (b) start on the second line following the body of the rule;
- (c) the first line of the History Note shall start in the first position; all lines following shall be

five two tabs;

- (d) the first line shall start with the words "History Note:", followed by one tab and the word "Authority". The agency shall then cite the authority(ies) in numerical order for that rule;
- (e) the effective date of the original adoption of the rule shall be the next line following the authority. The abbreviation "Eff." shall be followed by this date;
- (f) on the line following the "Eff." date, the amended dates shall be preceded with the words "Amended Eff." and the dates shall be listed in chronological order, with the most recent amended date listed first;
- (g) a temporary rule shall be listed as a separate item in the history note with the following words: "Temporary (Adoption, Amendment, or Repeal) Eff. (date)";
- (h) the repealed date of a rule shall be the last line of the history note and start with the words "Repealed Eff." followed by the date;
- (i) all items in the history note shall be separated by semicolons with the last line ending with a period.
- (j) all history of a rule shall be in chronological order following the authority for the rule;
- (k) all dates in the history note shall be complete with the month spelled out, and shall not contain any abbreviations.
- (10) Numbers within the text shall be as follows:
 - (a) numbers from one to nine shall be spelled out;
 - (b) figures shall be used for numbers over nine;
 - (c) if a phrase contains two numbers, only one of which is over nine, figures shall represent both.
- (11) Monetary figures within the text shall be spelled out followed by the numerical figure in parenthesis. Decimal and zeros shall be used only for even dollar amounts of sums less than one thousand dollars (\$1,000).

Authority G.S. 150B-21.17; 150B-21.18; 150B-21.19.

SECTION .0300 - THE NORTH CAROLINA REGISTER

.0303 AVAILABILITY OF THE NORTH CAROLINA REGISTER

- (a) An annual subscription to the Register Register, available in hardcopy, 3½ inch diskette, or email, shall be one hundred and ninety-five dollars (\$195.00) plus NC sales tax if applicable.
- ~~(b) An annual electronic subscription shall be two hundred and thirty-five dollars (\$235.00) plus NC sales tax if applicable.~~
- (b) (c) Individual issues shall be ten dollars (\$10.00) plus N.C. sales tax if applicable.
- ~~(d) A five percent discount shall be applied to the total~~

~~subscription price when ordering multiple copies delivered to the same address.~~

~~(c) (e)~~ A person requesting a subscription shall direct the request to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. to:

Office of Administrative Hearings

6714 Mail Service Center

Raleigh, NC 27699-6714

phone: 919.733.2678

fax: 919.733.3462

email: postmaster@oah.state.nc.us

Authority G.S. 150B-21.25.

.0306 PUBLICATION OF NOTICE OF TEXT

~~(a) Based upon the type of notice required in G.S. 150B-21.2(c) or (g), the agency shall complete one of the following forms provided by OAH:~~

~~(1) Notice of Text and Hearing; or~~

~~(2) Notice of Text.~~

The agency shall submit its Notice of Text on an OAH Notice of Text form. If the information contained in the notice exceeds the space provided on the form, the agency shall also submit an electronic version of the information.

(b) All rules submitted for publication by an agency at the same time, with the same proposed effective date, and with the same public hearing date and location if a hearing is scheduled, shall be listed on a single form.

(c) The agency shall submit the text of the proposed rule and an electronic version. OAH shall return to the agency an edited copy of the rule and the filed diskette.

(d) A rule proposed to be adopted or amended shall meet the following requirements:

(1) The rule shall contain an introductory statement immediately preceding the text. The statement shall contain the rule citation and the action proposed to be taken.

(2) Following the introductory statement, the rule number, name, text and history note shall be in the form specified in Rule .0108 of this Subchapter and as follows:

(A) any text to be deleted from an existing rule shall be indicated by strikeout marks;

(B) any new or added text shall be underlined; and

(C) punctuation shall be considered a part of the previous word, such as:

(i) when the previous word is deleted, the punctuation shall also be struck through with the previous word; and

(ii) when punctuation is added after an existing word, the existing word shall be struck through and followed by the word and punctuation underlined.

The smallest unit of text to be struck through or

underlined shall be an entire word or block of characters separated from other text by spaces.

(e) A rule proposed to be repealed shall meet the following requirements:

- (1) The rule shall contain an introductory statement. The statement shall contain the rule citation and the action proposed to be taken.
- (2) Following the introductory statement, the rule shall contain the number and rule name of the rule proposed to be repealed.
- (3) A history note shall follow the rule number and name.

Authority G.S. 150B-21.17.

SECTION .0400 - NORTH CAROLINA ADMINISTRATIVE CODE

.0403 SUBMISSION FOR PERMANENT RULE FORM

(a) The agency shall submit a completed typed Submission for Permanent Rule form for each rule submitted for publication in the Code, except that the agency shall submit a single Submission for Permanent Rule form for all repealed rules that are codified within the same section and are consecutive numerically: chapter.

(b) The agency head or rule-making coordinator shall sign the Submission for Permanent Rule form. If the agency head has designated its authority to another pursuant to G.S. 143B-10(a), then the agency shall submit a copy of such designation. It is only necessary to submit one copy of such designation with all rules filed by an agency for a single month's review by the Commission.

Authority G.S. 150B-21.19.

CHAPTER 3 - HEARINGS DIVISION

SECTION .0100 - HEARING PROCEDURES

.0101 GENERAL

Governed by the principles of fairness, uniformity, and punctuality, the following general rules apply:

- (1) The Rules of Civil Procedure as contained in G.S. 1A-1, the General Rules of Practice for the Superior and District Courts as authorized by G.S. 7A-34 and found in the Rules Volume of the North Carolina General Statutes and Canons 1, 2 and 3 of the Code of Judicial Conduct adopted in accordance with G.S. 7A-10.1 shall apply in contested cases in the Office of Administrative Hearings (OAH) unless another specific statute or rule of the Office of Administrative Hearings provides otherwise.
- (2) The Office of Administrative Hearings may supply, at the cost of reproduction, forms for use in contested cases. These forms with shall conform to the format of the Administrative Office of the Courts' Judicial

Department Forms Manual.

- (3) ~~Every pleading and other document filed with the Office of Administrative Hearings shall be signed by the attorney who prepared the document, if it was prepared by an attorney, and shall contain his name, address, telephone number, and North Carolina State Bar number. An original and one copy of each document shall be filed.~~
- (3) The Office of Administrative Hearings shall permit the filing of contested case documents and other pleadings by facsimile (fax) or electronic transmission during regular business hours. The faxed or electronic documents shall be deemed a "filing" within the meaning of 26 NCAC 3 .0102(a)(2) provided the original document and one copy is received by OAH within five business days following the faxed or electronic transmission. Electronic transmissions submitted for filing under Item (3) of this Rule with OAH shall use the electronic forms available on the Office of Administrative Hearings internet web site: <http://www.oah.state.nc.us/> Other electronic transmissions, for example, electronic mail, shall not constitute a valid filing with the OAH under this Rule.
- (4) ~~The Office of Administrative Hearings will permit the filing of contested case documents and other pleadings by facsimile (fax) transmission during regular business hours. The faxed documents will be deemed a "filing" within the meaning of 26 NCAC 3 .0102(a)(2) provided the original document is received by OAH within five business days following the faxed transmission.~~
- (4) Electronic transmissions filed by licensed North Carolina attorneys shall be in accordance with the Electronic Commerce Act, G.S. 66, Article 11A. Attorneys shall register for an account on the Office of Administrative Hearings internet web site: <http://www.oah.state.nc.us/> Electronic filings submitted under Item (4) of this Rule shall be deemed an original "filing" within the meaning of 26 NCAC 3 .0102(a)(2). Electronic transmissions submitted for filing under Item (4) of this Rule with the OAH shall use the electronic forms available on the Office of Administrative Hearings internet web site. Other electronic transmissions, for example, electronic mail, shall not constitute a valid filing with the OAH under this Rule.
- (5) ~~Except as otherwise provided by statutes or by rules promulgated under G.S. 150B-38(h), the rules contained in this Chapter shall govern the conduct of contested case hearings under G.S. 150B-40 when an Administrative Law Judge has been assigned to preside in the contested case.~~
- (5) Every pleading and other document filed with OAH shall be signed by the attorney who prepared the document, if it was prepared by an attorney, and shall contain his name, address, telephone number, and

North Carolina State Bar number. An original and one copy of each document shall be filed.

- (6) Except as otherwise provided by statutes or by rules adopted under G.S. 150B-38(h), the rules contained in this Chapter shall govern the conduct of contested case hearings under G.S. 150B-40 when an Administrative Law Judge has been assigned to preside in the contested case.

Authority G.S. 7A-750; 150B-40(c).

.0119 SECURE LEAVE PERIODS FOR ATTORNEYS

(a) Any attorney may designate one or more secure leave periods each year as provided in this Rule.

(b) Length, Number. A secure leave period shall consist of one or more complete calendar weeks. During any calendar year, an attorney's secure leave periods pursuant to this Rule shall not exceed, in the aggregate, three calendar weeks.

(c) Designation, Effect. To designate a secure leave period an attorney shall file a written designation containing the information required by Paragraph (d) with the Chief Hearings Clerk. The designation shall be filed:

- (1) no later than ninety (90) days before the beginning of the secure leave period, and
- (2) before any argument or other proceeding before an administrative law judge has been scheduled for a time during the designated secure leave period.

Upon such filing, the secure leave period so designated shall be deemed allowed without further action by the presiding administrative law judge, and the attorney shall not be required to appear at any argument or other administrative proceeding during that secure leave period.

(d) Content of Designation. The designation shall contain the following information:

- (1) the attorney's name, address, telephone number and state bar number,
- (2) the date of the Monday on which the secure leave period is to begin and of the Friday on which it is to end,
- (3) the dates of all other secure leave periods during the current calendar year that have previously been designated by the attorney pursuant to this Rule,
- (4) a statement that the secure leave period is not being designated for the purpose of delaying, hindering or interfering with the timely disposition of any matter in any pending action or proceeding, and
- (5) a statement that no argument or other proceeding has been scheduled during the designated secure leave period in any matter pending before an administrative law judge in which the attorney has entered an appearance.

Authority G.S. 7A-750; 150B-40(c).

The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.

TITLE 10 - DEPARTMENT OF HUMAN RESOURCES

Rule-making Agency: *Division of Facility Services*

Rule Citation: *10 NCAC 3R .6242 - .6243*

Effective Date: *November 29, 1999*

Findings Reviewed by Julian Mann III: *Approved*

Authority for the rule-making: *G.S. 131E-176(25); 131E-177(1); 131E-183(b)*

Reason for Proposed Action: *10 NCAC 3R .6242 - Revision of Certificate Review Schedule for Remainder of Calendar Year 1999. There are no more certificate of need reviews scheduled for the remainder of the year since applicants have already had an opportunity to submit their CON applications in accordance with the review schedules published in the 1999 SMFP.*

10 NCAC 3R .6243 - Revision of the Nursing Care Bed determination in Brunswick County.

The 1999 SMFP did not identify a need for Brunswick County. However, as a result of the withdrawal of a certificate of need issued to Magnolia Healthcare on December 11, 1997 for the development of 45 nursing care beds, there is now a need for 50 additional nursing care beds in Brunswick County. Consequently, 10 NCAC 3R .6243 is being adopted to conform to this change in need.

Comment Procedures: *Comments can be submitted to Jackie Sheppard, Dorothea Dix Campus, Council Building, 701 Barbour Drive, Raleigh, NC 27603.*

CHAPTER 3 - FACILITY SERVICES

SUBCHAPTER 3R - CERTIFICATE OF NEED REGULATIONS

SECTION .6200 - PLANNING POLICIES AND NEED DETERMINATIONS FOR 1999

.6242 CERTIFICATE OF NEED REVIEW SCHEDULE FOR REMAINDER OF CALENDAR YEAR 1999

It is determined that the review schedules published in the 1999 State Medical Facilities Plan, no application for a certificate of need shall be accepted for review by the Department of Health and Human Services from November 19, 1999 through December 31, 1999.

*History Note: Authority G.S. 131E-176(25); 131E-177(1); 131E-183(b);
Temporary Adoption Eff. November 29, 1999.*

.6243 NURSING CARE BED NEED DETERMINATION FOR REMAINDER OF CALENDAR YEAR 1999

It is determined that the counties listed in this Rule need additional Nursing Care Beds as specified. It is determined that there is no need for additional Nursing Care Beds in any other counties.

<u>County</u>	<u>Number of Nursing Care Beds Needed</u>
<u>McDowell</u>	<u>40</u>
<u>Randolph</u>	<u>90</u>
<u>Brunswick</u>	<u>50</u>

History Note: Authority G.S. 131E-176(25); 131E-177(1); 131E-183(b);

Temporary Adoption Eff. November 29, 1999.

Rule-making Agency: Social Services Commission

Rule Citation: 10 NCAC 29C .0201-.0202

Effective Date: November 19, 1999

Findings Reviewed by Beecher R. Gray: Approved

Authority for the rule-making: G.S. 108A-25; 143B-153

Reason for Proposed Action: On September 30, 1999, the President authorized the release of \$20.3 million in emergency contingency funds to North Carolina to assist the elderly, the disabled and low-income families experiencing an energy crisis because of damage and flooding due the recent natural disasters. As a result of the availability of emergency funds, the Social Services Commission adopted temporary rules on October 12, 1999, that established the Modified Crisis Intervention Programs in the 42 most affected counties, effective October 13, 1999. The Modified Crisis Intervention Program provided additional financial assistance to eligible households impacted by Hurricane Floyd.

This action is necessary because the temporary rules adopted on October 12th limited the use of the funds to victims of Hurricane Floyd and maintained the income limits at the same level as the regular program. The proposed amendments to these two rules will expand the use of the funds to victims of Hurricanes Dennis, Floyd and Irene and raise the income limit to the maximum levels pursuant to federal law.

County departments of social services in 42 counties have been operating the Modified Crisis Intervention Program since the adoption of the temporary rules. The local departments of social services have assessed their needs and the needs of their citizens in the aftermath of these disasters and have requested changes in the temporary rules to ensure the focus of the relief efforts be targeted to the actual victims of the recent hurricanes. Therefore, the Division of Social Services proposes to amend the applicable rules in order to focus the Modified Crisis Intervention Program to those households directly affected by the recent hurricanes in the 42 counties. Other households in the 42 counties will be served under the regular Crisis Intervention Program. The proposed amendments to the temporary rules will allow only those households that were directly affected by the recent hurricanes to receive additional assistance under the modified program. Additionally, the proposed temporary rules will increase the income limits from 110% to 150% of the federal poverty level. Disaster related expenses would be allowed as an income deduction prior to determining eligibility. (Such as cleaning supplies and repair costs.) The proposed changes will allow the counties to better serve the most affected households in the designated counties.

Comment Procedures: Anyone wishing to comment should contact Sharnese Ransome, APA Coordinator, Social Services Commission, NC Division of Social Services, 325 North Salisbury Street, Suite 819, 2401 Mail Service Center, Raleigh, NC 27699-2401, phone (919) 733-3055, fax (919) 733-9386.

CHAPTER 29 - INCOME MAINTENANCE: GENERAL

SUBCHAPTER 29C - CRISIS INTERVENTION PROGRAM

SECTION .0200 - MODIFIED CRISIS INTERVENTION PROGRAM

.0201 GROUPS COVERED

(a) The rules in this Section set forth the regulations for the Modified Crisis Intervention Program that will be administered in the following counties that were impacted by Hurricane Floyd Hurricanes Dennis, Floyd, or Irene:

- (1) Beaufort
- (2) Bertie
- (3) Bladen
- (4) Brunswick
- (5) Camden
- (6) Carteret
- (7) Chowan
- (8) Columbus
- (9) Craven
- (10) Cumberland
- (11) Currituck
- (12) Dare
- (13) Duplin
- (14) Edgecombe
- (15) Franklin
- (16) Gates
- (17) Greene
- (18) Halifax
- (19) Harnett
- (20) Hertford
- (21) Hoke
- (22) Hyde
- (23) Johnston
- (24) Jones
- (25) Lenior
- (26) Martin
- (27) Nash
- (28) New Hanover
- (29) Northampton
- (30) Onslow
- (31) Pamlico
- (32) Pasquotank
- (33) Pender
- (34) Perquimans
- (35) Pitt
- (36) Robeson

- (37) Sampson
- (38) Tyrrell
- (39) Warren
- (40) Washington
- (41) Wilson
- (42) Wayne

The rules in Section .0100 of 10 NCAC 29C set forth the regulations for households in the designated 42 counties in Paragraph (a) this Rule not affected by Hurricanes Dennis, Floyd or Irene and the remainder of the counties in the State.

(b) "Residence" means a household residing in the counties designated in Paragraph (a) of this Rule.

(c) Households must have incurred housing damage or property loss or lost income as a result of Hurricanes Dennis, Floyd, or Irene or the subsequent flooding that occurred due to one of these hurricanes.

*History Note: Authority G.S. 108A-25; 143B-153;
Temporary Adoption Eff. October 13, 1999 to Expire on June 30, 2000;
Temporary Amendment Eff. November 19, 1999 to Expire on June 30, 2000.*

.0202 ELIGIBILITY REQUIREMENTS

A household must meet the following requirements to be eligible for the Modified Crisis Intervention Program:

- (1) **Income:** A household must have income at or below ~~110 percent~~ 150 percent of the current non-farm poverty income guidelines. ~~The Rule 10 NCAC 29B .0003 will govern the definition and computation of income.~~ Exception: Households will be allowed an income deduction for disaster related expenses paid or expected to be paid in the month of application. These expenses include but are not limited to cleaning supplies, housing repair, utility connection/reconnection fees, and replacement of household items.
- (2) **Crisis:** A household is in crisis if the household:
 - (A) Is experiencing a heating or cooling related emergency as defined in 10 NCAC 29C .0102.
 - (B) Is in need of repairs of its residence to ensure the household's ability to heat or cool its residence.
 - (C) Needs heating or cooling equipment repaired or replaced in order to be able to heat or cool its residence.
- (3) **Citizenship:** Individuals who are illegal aliens are not eligible for the Modified Crisis Intervention Program.

*History Note: Authority G.S. 108A-25; 143B-153;
Temporary Adoption Eff. October 13, 1999 to Expire on June 30, 2000;
Temporary Amendment Eff. November 19, 1999 to Expire on June 30, 2000.*

Rule-making Agency: *Social Services Commission*

Rule Citation: *10 NCAC 43L .0401*

Effective Date: *November 10, 1999*

Findings Reviewed by Beecher R. Gray: *Approved*

Authority for the rule-making: *G.S. 143B-153*

Reason for Proposed Action: *Prior to 1997, there were no federal funds available that were specifically allowed to be transferred into the Social Services Block Grant (SSBG); therefore, the applicability of the financial participation matching rate was not an issue. The current APA rule on Social Services Block Grant (SSBG) fiscal management was written many years ago and does not provide the flexibility needed for items funded with transferred funds from alternate sources. This action is necessary to clarify that services originally funded with straight SSBG funds and now funded with funds transferred from the Temporary Assistance for Needy Families (TANF) Block Grant will continue to require financial participation matching rates as prescribed in the rule. Any new services funded with transferred funds from TANF will not require a financial participation matching rate unless specified by the General Assembly.*

Comment Procedures: *If you wish to make comments please contact Ms. Sharnese Ransome, APA Coordinator, Division of Social Services, 2401 Mail Service Center, Raleigh, NC 27699-2401; (919) 733-3055. Verbal comments may be presented at the public hearing.*

CHAPTER 43 - SERVICES PROGRAM PLAN

SUBCHAPTER 43L - SOCIAL SERVICES BLOCK GRANT

SECTION .0400 - ADMINISTRATIVE REQUIREMENTS

.0401 FISCAL MANAGEMENT

The Division of Social Services shall establish the fiscal requirements for the Social Services Block Grant as follows:

- (1) **Allocation of Funds.** Any allocation of Social Services Block Grant Funds made directly to Department of Human Resources divisions or public or private agencies by the Department of Human Resources is based on the following criteria:
 - (A) identified need for the service program;
 - (B) established priorities of the department;
 - (C) allowability of the program under federal and state rules and regulations;
 - (D) assessed or potential performance of the service program;
 - (E) resource utilization;

- (F) availability of funds necessary to secure federal financial participation.
- (2) The amount of Social Services Block Grant (SSBG) funds allocated by the Department of Human Resources through the Division of Social Services to each county department of social services will be based on the average of the following two factors applied to the total amount of SSBG funds available for county departments of social services:
- (A) the percentage of the statewide population residing within each county; and
 - (B) the percentage of the statewide unduplicated count of SSI recipients, food stamp recipients, AFDC recipients and medicaid eligible individuals residing in each county.
- (3) Matching Rates for Financial Participation. The following matching rates apply to financial participation in services funded by the Social Services Block Grant:
- (A) 75 percent financial participation - financial participation for provision of any service listed in Rule .0201 of this Subchapter is available at a rate of 75 percent of the cost of providing the service;
 - (B) 87-1/2 percent financial participation - financial participation for provision of in-home services -- day care services for adults, preparation and delivery of meals, housing and home improvement services, and in-home aide services (levels I through IV) -- is available at a rate of 87-1/2 percent of the cost of providing the service;
 - (C) 90 percent financial participation - financial participation for provision of family planning services and the family planning component of health support services is available at a rate of 90 percent of the cost of providing the service;
 - (D) 100 percent financial participation - financial participation for provision of child day care and developmental day services for children is available at a rate of 100 percent of the cost of services for those child day care services reimbursed from an agency's designated 100 percent day care allocation.
- (4) Transferred Funds. If funds from the Temporary Assistance for Needy Families (TANF) Block Grant are transferred to the Social Services Block Grant (SSBG) for services previously funded by SSBG, the matching rates outlined in Subparagraph (3) of this Rule shall apply. If funds from TANF are transferred to SSBG for services not previously funded by SSBG, the matching rates as outlined in Subparagraph (3) of this Rule shall not apply.

Eff. July 1, 1983;

Amended Eff. December 1, 1991; July 1, 1990; December 1, 1983;

Temporary Amendment Eff. November 10, 1999.

TITLE 11 - DEPARTMENT OF INSURANCE

Rule-making Agency: *NC Department of Insurance*

Rule Citation: *11 NCAC 12 .0327*

Effective Date: *January 1, 2000*

Findings Reviewed by Beecher R. Gray: *Approved*

Authority for the rule-making: *G.S. 58-2-40; 58-2-235*

Reason for Proposed Action: *SB 839 authorizes the Commissioner of Insurance to adopt a temporary rule to order interim claim payments to health care providers if claims cannot be processed in a timely fashion because of Year 2000 computer problems.*

Comment Procedures: *Written comments should be sent to Barbara Morales Burke, Technical Services Group, NC Department of Insurance, 111 Seaboard Avenue, Raleigh, NC 27604.*

CHAPTER 12 - LIFE AND HEALTH DIVISION

SECTION .0300 - GENERAL PROVISIONS

.0327 Y2K INTERIM CLAIM PAYMENTS

For the purposes of G.S. 58-2-235(b), a claim shall be considered a clean claim if it is submitted in accordance with an insurer's claim submission requirements that have been communicated to health care providers by the provider agreement, the insurer's provider manual, or formal letters sent to providers explaining claim submission policies. An insurer shall not alter its claim submission requirements to make them more stringent because the insurer has experienced, or anticipates Year-2000 related problems that may interfere with its ability to process claims from health care providers. Clean claims submitted by health care providers that are not processed within 30 days after receipt or in accordance with the insurer's contractual agreement with the provider are subject to interim claim payment requirements as provided in G.S. 58-2-235.

History Note: Authority G.S. 58-2-40; 58-2-235;

Temporary Adoption Eff. January 1, 2000.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

History Note: Authority G.S. 143B-153;

Rule-making Agency: *NC Marine Fisheries Commission*

Rule Citation: *15A NCAC 3M .0301, .0506, .0515*

Effective Date: *January 1, 2000*

Findings Reviewed by Beecher R. Gray: *Approved*

Authority for the rule-making: *G.S. 113-134; 113-182; 113-221; 143B-289.52*

Reason for Proposed Action:

15A NCAC 3M .0301 - Recent action by the National Marine Fisheries Service (effective September 20, 1999) increased the size limit for king mackerel to 24 inches. G.S. 143B-289.52(e) authorizes the MFC to adopt temporary rules within six months of amendment of a fishery management plan adopted pursuant to the Magnuson-Stevens Fishery Conservation and Management Act

15A NCAC 3M .0506 - Recent action by the National Marine Fisheries Service (effective September 8, 1999; published in Federal Register Vol .674, No. 171 on September 3, 1999) prohibits the harvest and possession of red porgy in the EEZ in order to protect the red porgy resource which is overfished. G.S. 143B-289.52(e) authorizes the MFC to adopt temporary rules within six months of amendment of a fishery management plan adopted pursuant to the Magnuson-Stevens Fishery Conservation and Management Act.

15A NCAC 3M .0515 - In the temporary adoption effective July 1, 1999, the taking of dolphin commercially was authorized through a federal permit. This commercial take should be authorized by the holding of the new licenses which were first made available through a rewrite of the licensing system effective July 1, 1999. This amendment authorizes the take of dolphin commercially by the new license system.

Comment Procedures: *Written comments are encouraged and may be submitted to the MFC, Juanita Gaskill, PO Box 769, Morehead City, NC 28557. These comments must be received no later than February 1, 2000.*

CHAPTER 3 - MARINE FISHERIES

SUBCHAPTER 3M - FINFISH

SECTION .0300 - SPANISH AND KING MACKEREL

.0301 SPANISH AND KING MACKEREL

(a) The Fisheries Director may, by proclamation, impose any or all of the following restrictions on the taking of Spanish or king mackerel:

- (1) Specify areas.
- (2) Specify seasons.
- (3) Specify commercial quantity.
- (4) Specify means/methods.
- (5) Specify size for fish taken by commercial fishing

operations.

(b) King mackerel and Spanish mackerel taken for recreational purposes or by hook and line:

- (1) It is unlawful to possess king mackerel less than 24 20 inches fork length.
- (2) It is unlawful to possess more than three king mackerel per person per day.
- (3) It is unlawful to possess Spanish mackerel less than 12 inches fork length.
- (4) It is unlawful to possess more than 10 Spanish mackerel per person per day.

(c) King mackerel and Spanish mackerel taken by commercial fishing operations, exclusive of hook and line:

- (1) It is unlawful to possess king mackerel less than 20 inches fork length.
- (2) It is unlawful to possess Spanish mackerel less than 12 inches fork length.

(d) Persons in possession of a valid National Marine Fisheries Service Coastal Migratory Pelagic (Mackerel) Permit to fish on the commercial mackerel quotas are exempt from the mackerel creel restrictions established in Paragraph (b) of this Rule.

(e) Persons in possession of a valid National Marine Fisheries Service Federal Coastal Migratory Pelagic (Mackerel) Permit must comply with the mackerel creel restrictions established in Paragraph (b) of this Rule when fishing with more than three persons (including the captain and mate) on board.

(f) It is unlawful to possess aboard or land from a vessel, or combination of vessels that form a single operation, more than 3,500 pounds of Spanish or king mackerel, in the aggregate, in any one day.

History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;

Eff. January 1, 1991;

Amended Eff. March 1, 1996;

Temporary Amendment Eff. January 1, 2000; July 1, 1999.

SECTION .0500 - OTHER FINFISH

.0506 SNAPPER-GROUPER

(a) The Fisheries Director may, by proclamation, impose any or all of the following restrictions in the fisheries for species of the snapper-grouper complex and black sea bass in order to comply with the management requirements incorporated in the Fishery Management Plans for Snapper-Grouper and Sea Bass developed by the South Atlantic Fishery Management Council or Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission:

- (1) Specify size;
- (2) Specify seasons;
- (3) Specify areas;
- (4) Specify quantity;
- (5) Specify means/methods; and
- (6) Require submission of statistical and biological data.

The species of the snapper-grouper complex listed in the South Atlantic Fishery Management Council Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic

Region are hereby incorporated by reference and copies are available via the Federal Register posted on the Internet at www.access.gpo.gov and at the Division of Marine Fisheries, P.O. Box 769, Morehead City, North Carolina 28557 at no cost.

(b) Black sea bass:

- (1) It is unlawful to possess black sea bass less than ten inches total length.
- (2) It is unlawful to take or possess more than 20 black sea bass per person per day south of Cape Hatteras without a valid Federal Commercial Snapper-Grouper permit.

(c) Gag grouper:

- (1) It is unlawful to possess gag grouper (gray grouper) less than 24 inches total length.
- (2) It is unlawful to possess more than two gag grouper (gray grouper) per person per day without a valid Federal Commercial Snapper-Grouper Permit.
- (3) It is unlawful to possess more than two gag grouper (gray grouper) per person per day during the months of March and April.
- (4) It is unlawful to sell or purchase gag grouper (gray grouper) taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council during the months of March and April.

(d) Black grouper:

- (1) It is unlawful to possess black grouper less than 24 inches total length.
- (2) It is unlawful to possess more than two black grouper per person per day without a valid Federal Commercial Snapper-Grouper Permit.
- (3) It is unlawful to take or possess more than two black grouper per person per day during the months of March and April.
- (4) It is unlawful to sell or purchase black grouper taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council during the months of March and April.

(e) It is unlawful to possess red grouper less than 20 inches total length.

(f) It is unlawful to possess yellowfin grouper (fireback grouper) less than 20 inches total length.

(g) It is unlawful to possess scamp less than 20 inches total length.

(h) It is unlawful to possess yellowmouth grouper less than 20 inches total length.

(i) Speckled hind (kitty mitchell) and warsaw grouper:

- (1) It is unlawful to sell or purchase speckled hind or warsaw grouper.
- (2) It is unlawful to possess more than one speckled hind or one warsaw grouper per vessel per trip.

(j) Greater amberjack:

- (1) For recreational purposes:
 - (A) It is unlawful to possess greater amberjack less than 28 inches fork length.
 - (B) It is unlawful to possess more than one greater amberjack per person per day.

(2) It is unlawful to sell or purchase greater amberjack less than 36 inches fork length.

(3) It is unlawful to possess more than one greater amberjack per person per day without a valid Federal Commercial Snapper-Grouper Permit.

(4) It is unlawful to possess more than one greater amberjack per person per day during the month of April.

(5) It is unlawful to sell or purchase greater amberjack during any closed season.

(k) Red Snapper:

(1) It is unlawful to possess red snapper less than 20 inches total length.

(2) It is unlawful to possess more than two red snapper per person per day without a valid Federal Commercial Snapper-Grouper permit.

(l) Vermilion Snapper:

(1) For recreational purposes:

(A) It is unlawful to possess vermilion snapper (beeliner) less than 11 inches total length.

(B) It is unlawful to possess more than 10 vermilion snapper per person per day.

(2) It is unlawful to possess or sell vermilion snapper (beeliner) less than 12 inches total length with a valid Federal Commercial Snapper-Grouper permit.

(m) It is unlawful to possess silk snapper (yelloweye snapper) less than 12 inches total length.

(n) It is unlawful to possess blackfin snapper (hambone snapper) less than 12 inches total length.

(o) Red Porgy:

(1) It is unlawful to possess red porgy (*Pagrus pagrus*) in North Carolina porgy (pink or silver snapper) less than 14 inches total length.

(2) It is unlawful to possess more than five red porgy per person per day without a valid Federal Commercial Snapper-Grouper permit.

(3) It is unlawful to possess more than five red porgy per person per day during the months of March and April.

(4) It is unlawful to sell or purchase red porgy taken from waters under the jurisdiction of North Carolina or the South Atlantic Fishery Management Council during the months of March and April.

(p) Combined Bag Limits:

(1) It is unlawful to possess more than 10 vermilion snapper and 10 other snappers per person per day of which no more than two may be red snapper without a valid Federal Commercial Snapper-Grouper permit.

(2) It is unlawful to possess more than five grouper without a valid Federal Commercial Snapper-Grouper permit of which:

(A) no more than two may be gag or black grouper (individually or in combination) per person per day;

(B) no more than one may be speckled hind or one warsaw grouper per vessel per trip.

(3) It is unlawful to possess more than 20 fish in the aggregate per person per day of the following species

without a valid Federal Commercial Snapper-Grouper permit: whitebone porgy, jolthead porgy, knobbed porgy, longspine porgy, sheepshead, gray triggerfish, queen triggerfish, yellow jack, crevalle jack, bar jack, almaco jack, lesser amberjack, banded rudderfish, white grunt, margates, spadefish, and hogfish.

(q) It is unlawful to possess any species of the Snapper-Grouper complex except snowy, warsaw, yellowedge, and misty groupers; blueline, golden and sand tilefishes; while having longline gear aboard a vessel.

(r) It is unlawful to possess Nassau grouper or jewfish.

(s) Fish Traps/Pots:

(1) It is unlawful to use or have on board a vessel fish traps for taking snappers and groupers except sea bass pots as allowed in Subparagraph (2) of this Paragraph.

(2) Sea bass may be taken with pots that conform with the federal rule requirements for mesh sizes and pot size as specified in 50 CFR Part 646.2, openings and degradable fasteners specified in 50 CFR Part 646.22(c)(2)(i), and escape vents and degradable materials as specified in 50 CFR Part 622.40 (b)(3)(i) and rules published in 50 CFR pertaining to sea bass north of Cape Hatteras (35° 15' N Latitude). Copies of these rules are available via the Federal Register posted on the Internet at www.access.gpo.gov and at the Division of Marine Fisheries, P.O. Box 769, Morehead City, North Carolina 28557 at no cost.

(t) It is unlawful for persons in possession of a valid National Marine Fisheries Service Snapper-Grouper Permit for Charter Vessels to exceed the creel restrictions established in Paragraphs (b),(j), (o), and (p) of this Rule when fishing with more than three persons (including the captain and mate) on board.

(u) In the Atlantic Ocean, it is unlawful for an individual fishing under a Recreational Commercial Gear License with seines, shrimp trawls, pots, trotlines or gill nets to take any species of the Snapper- Grouper complex.

History Note: Authority G.S. 113-134; 113-182; 113-221; 143B-289.52;

Eff. January 1, 1991;

Amended Eff. April 1, 1997; March 1, 1996; September 1, 1991;

Temporary Amendment Eff. December 23, 1996;

Amended Eff. August 1, 1998; April 1, 1997;

Temporary Amendment Eff. January 1, 2000; May 24, 1999.

.0515 DOLPHIN

(a) It is unlawful to possess more than 10 dolphin per person per day taken by hook and line for recreational purposes except charter except: (1) Charter vessels with a valid National Marine Fisheries Service Charter Vessel Coastal Migratory Pelagic Permit and licensed by the U.S. Coast Guard to carry six or less passengers for hire, may possess a maximum of 60 dolphin per day regardless of the number of people on board.

(b) Vessels, including charterboats when fishing with three or less persons (including captain and mate) on board, with a valid Standard or Retired Standard Commercial Fishing License or a Land or Sell License, may possess more than 60 dolphin per

day. (2) Vessels with a valid commercial National Marine Fisheries Service Federal Coastal Migratory Pelagic Permit including charterboats when fishing with three or less persons (including captain and mate) on board.

History Note: Authority G.S. 113-134; 113-182; 143B-289.52;

Temporary Adoption Eff. July 1, 1999;

Temporary Amendment Eff. January 1, 2000.

Rule-making Agency: *Commission for Health Services*

Rule Citation: *15A NCAC 18A .1809, .1811-.1812*

Effective Date: *January 31, 2000*

Findings Reviewed and Approved by: *Beecher R. Gray*

Authority for the rule-making: *G.S. 130A-248*

Reason for Proposed Action: *The rule changes are required by legislation the General Assembly passed and need to be in place by January 31, 2000.*

Comment Procedures: *Send all comments to Susan C. Grayson, Branch Head, DENR/EHSS, 1632 Mail Service Center, Raleigh, NC 27699-1632.*

CHAPTER 18 - ENVIRONMENTAL HEALTH

SUBCHAPTER 18A - SANITATION

SECTION .1800 - SANITATION OF LODGING PLACES

.1809 LAVATORIES AND BATHS

(a) Baths, lavatories, and toilets shall be provided for each room or unit in establishments constructed on or after December 1, 1988. Such fixtures shall be kept clean and in good repair.

(b) All lavatory and bathing facilities shall include hot and cold running water under pressure with a mixing faucet, a clean towel in good repair and provided daily for each guest, and soap. The lavatory, its handles, faucet, and vanity shall be washed using an all purpose cleaner and rinsed daily if the room has been occupied. A sanitizer shall be applied to the lavatory and vanity using a method such as a wipe-on chemically-treated disposable sanitizing towel or equivalent. The sanitizer shall be left to air dry. Sanitizing solutions shall consist of iodophors, quaternary ammonium or other chemicals or methods that are equivalent to the action of 50 parts per million chlorine solution. A method or equipment for testing the sanitizer shall be available and used to insure minimum prescribed sanitizer strength.

(c) Floors, walls, and ceilings shall be cleanable, durable, and

shall be kept clean and in good repair.

(d) All sewage and other liquid wastes shall be disposed of in a public sewer system or, in the absence of a public sewer system, by a sanitary system of sewage treatment and disposal constructed and operated in accordance with 15A NCAC 18A .1900.

History Note: Authority G.S. 130A-248;

Eff. February 1, 1976;

Amended Eff. July 1, 1977;

Readopted Eff. December 5, 1977;

Amended Eff. January 1, 1996; April 1, 1992; December 1, 1988;

Temporary Amendment Eff. January 31, 2000.

.1811 DRINKING WATER FACILITIES

(a) Facilities for the dispensing of drinking water shall be of sanitary design. If drinking fountains are provided, they shall be of angle-jet type.

(b) Multi-use or single-service; utensils such as glasses, cups, pitchers or ice buckets ice buckets, or ice bucket lids may be when used, provided all multi-use utensils are shall be washed, rinsed and washed thoroughly; subjected to a an approved sanitizing treatment, and stored and handled in a sanitary manner before being given to succeeding guests; manner to prevent contamination. For the washing, sanitizing treatment, and storage of multi-use utensils, equipment and methods facilities meeting the requirements of the "Sanitation Rules Governing the Sanitation of Restaurants and Other Foodhandling Establishments" 15A NCAC 18A .2600 shall be provided; except, when properly fitting disposable food grade liners are provided, ice buckets shall be treated as non-food contact surfaces and shall be washed, using an all purpose cleaner suitable for food contact surfaces, and rinsed. The lid used with the lined ice bucket shall be washed, rinsed and subjected to an approved sanitizing treatment in place. The lavatory shall be cleaned and treated with an approved sanitizer prior to using the water from the lavatory to clean. Submersion of ice buckets and lids during in-place cleaning procedures is not required. These utensils shall not be washed in room lavatories: Single-service items shall be stored and handled in a sanitary manner. Clean glasses shall be individually wrapped or fitted with a single-service cap that covers the edge of the glass. If disposable or single-service plastic liners are provided for ice buckets, the sanitization of buckets is not required.

(c) Ice used for room service shall be manufactured from an approved water supply and shall be stored and handled in a sanitary manner. Ice storage bins shall not be used for any other purpose and shall be kept clean and in good repair. Where ice is made on the premises, the machines shall be located in a protected place. Scoops shall be provided so guests or employees can dispense ice in a sanitary manner. Machines, equipment, utensils, and the room or area in which the machines are located shall be kept clean and in good repair. All ice machines for use by guests installed after January 1, 1996, shall dispense ice without exposing stored ice to guests.

(d) Ice storage bins shall not be used for any other purpose

and shall be kept clean and in good repair. Employees cleaning ice buckets, ice bucket lids, coffee or tea makers, shall have washed their hands immediately prior to cleaning these items.

(e) Single service glasses, cups, ice buckets, ice bucket lids, or food grade ice bucket liners may be used, if discarded after each use. Single service items, including clean disposable towels, shall be stored and handled in a manner to prevent contamination.

History Note: Authority G.S. 130A-248;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. January 1, 1996; September 1, 1990;

Temporary Amendment Eff. January 31, 2000.

.1812 GUESTROOMS

(a) Guestrooms and bathrooms shall have lighting with a minimum of 30 foot-candles of light at 30 inches above the floor. Where natural ventilation only is provided, outside openings shall be screened. Windows and glass doors shall be kept clean and in good repair. In the absence of windows, air conditioning and artificial lighting constitutes satisfactory compliance.

(b) Window coverings shall be kept clean and in good repair.

(c) Two sheets shall be provided for each bed. The lower sheet shall be folded under both ends of the mattress. The upper sheet shall be folded under the mattress at the lower end and folded over the cover for at least six inches at the top end. Bed linens, including sheets, pillow cases, blankets and bedspreads, shall be kept clean and in good repair.

(d) The floors, walls and ceilings of bedrooms, closets and storage areas shall be kept clean and in good repair. Furniture, fixtures, carpets and other accessories shall be kept clean and in good repair.

(e) All lodging establishments shall be kept free of roaches, flies and other pests. Guestrooms having outside openings shall be effectively screened unless air conditioned.

(f) Coffee and tea makers shall be kept clean. Coffee or tea pots and other multi-use items exposed to heat during use may be washed and rinsed in place.

History Note: Authority G.S. 130A-248;

Eff. February 1, 1976;

Readopted Eff. December 5, 1977;

Amended Eff. January 1, 1996; April 1, 1992; September 1, 1990; September 1, 1979;

Temporary Amendment Eff. January 31, 2000.

Rule-making Agency: Department of Environment and Natural Resources

Rule Citation: 15A NCAC 18A .2802, .2806, .2810, .2812, .2815, .2825

Effective Date: December 1, 1999

Findings Reviewed and Approved by: *Beecher R. Gray*

Authority for the rule-making: *G.S. 110-86; 110-91*

Reason for Proposed Action: *Agency staff recognized the immediate need to amend these Rules to address compliance feasibility issues concerning child care centers licensed for fewer than 13 children and located in a residence.*

Comment Procedures: *Written comments may be submitted to Ed Norman, Department of Environment and Natural Resources, Division of Environmental Health, Environmental Health Services Section, 1632 Mail Service Center, Raleigh, NC 27699-1632.*

CHAPTER 18 - ENVIRONMENTAL HEALTH

SUBCHAPTER 18A - SANITATION

SECTION .2800 - SANITATION OF CHILD DAY CARE FACILITIES

.2802 APPROVAL OF CONSTRUCTION AND RENOVATION PLANS

(a) Plans drawn to scale and specifications for new child care centers shall be submitted to the local health department for review and approval prior to initiating construction. Plans drawn to scale and specifications for changes to building dimensions, kitchen specifications, or other modifications to existing child care centers shall also be submitted to the local health department for review and approval prior to construction. Plans drawn to scale and specifications for prototype "franchise" or "chain" child care centers shall be submitted to DENR, Division of Environmental Health, Environmental Health Services Section, Children's Environmental Health Branch, PO Box 29534, Raleigh, North Carolina 27626-0534. The initial inspection for new construction or the first inspection following modifications to existing child care centers shall not be made by the local health department unless these plans have been approved. For new or proposed child care centers licensed for fewer than 13 children and located in a residence, a site visit to evaluate and assist in meeting the requirements of this Section may be requested by the child care operator prior to submission of plans and shall be conducted by the local health department within 30 days of the request.

(b) Review of the plans by the local health department or the Environmental Health Services Section shall be based on the requirements of this Section.

(c) Construction and modifications shall comply with the approved plans.

History Note: Authority G.S. 110-91;

Eff. July 1, 1991;

Temporary Amendment Eff. December 1, 1999; April 15, 1998.

.2806 FOOD STORAGE

(a) Food products shall be stored in approved, clean, tightly covered, storage containers once the original package is opened. Container covers shall be impervious and nonabsorbent.

(b) Foods not stored in the product container or package in which it was obtained, shall be stored in a tightly covered, approved food storage container identifying the food by common name.

(c) Food shall be stored above the floor in a manner that protects the food from splash and other contamination and that permits easy cleaning of the storage area.

(d) Food and containers of food shall not be stored under exposed or unprotected sewer lines or water lines, except for automatic fire protection sprinkler heads that may be required by law. Food shall not be stored in toilet or laundry rooms, or other areas where there is a potential for contamination. Child care centers licensed for fewer than 13 children and located in a residence may store properly protected food in laundry rooms.

(e) All food shall be stored in a manner to protect it from dust, insects, drip, splash and other contamination.

(f) Packaged food such as milk or other fluid containers may be stored in undrained ice as long as any individual units are not submerged in water. Wrapped sandwiches shall not be stored in direct contact with ice.

(g) Refrigerated storage:

(1) Refrigeration equipment shall be provided in such number and of such capacity to assure the maintenance of potentially hazardous food at required temperatures during storage. Each refrigerator shall be provided with a numerically scaled indicating thermometer, accurate to $\pm 3^{\circ}\text{F}$ ($\pm 1.5^{\circ}\text{C}$) located to measure the air temperature in the warmest part of the refrigerator and located to be easily readable. Recording thermometers, accurate to $\pm 3^{\circ}\text{F}$ ($\pm 1.5^{\circ}\text{C}$), may be used in lieu of indicating thermometers;

(2) Potentially hazardous food requiring refrigeration after preparation shall be cooled to an internal temperature of 45°F (7°C), or below. Cooling of potentially hazardous foods shall be initiated upon completion of preparation or a period of hot storage. Methods such as shallow pans, agitation, quick chilling or water circulation external to the food containers shall be used to cool large quantities of potentially hazardous food. Potentially hazardous food to be transported cold shall be prechilled and held at a temperature of 45°F (7°C) or below;

(3) Ice used for cooling stored food and food containers shall not be used for human consumption.

(h) Hot storage:

(1) Hot food storage equipment shall be provided in such number and of such capacity to assure the maintenance of food at the required temperature during storage. Each hot food unit shall be provided with a numerically scaled indicating thermometer, accurate to $\pm 3^{\circ}\text{F}$ ($\pm 1.5^{\circ}\text{C}$), located to measure the air temperature in the coolest part of the unit and located to be easily readable. Recording thermometers, accurate to $\pm 3^{\circ}\text{F}$ ($\pm 1.5^{\circ}\text{C}$), may be

used in lieu of indicating thermometers. Where it is impractical to install thermometers on equipment such as steam tables, steam kettles, heat lamps, cal-rod units, or insulated food transport carriers, a metal stem-type numerically scaled indicating product thermometer shall be available and used to check internal food temperature;

- (2) The internal temperature of potentially hazardous foods requiring hot storage shall be 140°F (60°C) or above except during necessary periods of preparation and service. Potentially hazardous food to be transported hot shall be held at a temperature of 140°F (60°C) or above.

History Note: Authority G.S. 110-91;

Eff. July 1, 1991;

Amended Eff. February 1, 1995;

Temporary Amendment Eff. December 1, 1999.

.2810 SPECIFICATIONS FOR KITCHENS

(a) For child care centers licensed for or serving food to fewer than 30 children:

- (1) Domestic kitchen equipment may be used. Domestic kitchen equipment shall include at least a two-compartment sink, drainboards or countertop space of adequate size, refrigeration equipment and adequate cooking equipment. Child care centers using multi-service articles shall also provide a dishwasher. In lieu of a dishwasher and two-compartment sink, a three-compartment sink with drainboards or ~~counter space~~ countertop space of adequate size on each end may be used;
- (2) A separate lavatory for handwashing is required in food preparation areas. If the dishwashing area is separate from the food preparation area, an additional lavatory shall be required in the dishwashing area. These handwashing lavatories shall be used only by food service personnel; and
- (3) A commercial hood shall be installed when foods are fried on-site. The hood shall be installed in accordance with the North Carolina Building Code and approved by the local building code enforcement agent.

(b) For child care centers licensed for or serving food to 30 or more children:

- (1) Approved food service equipment shall be used. When domestic refrigeration equipment is used the following provisions shall apply:
 - (A) Potentially hazardous foods shall not be prepared prior to the day that such foods are to be served;
 - (B) Potentially hazardous foods that have been heated shall not be reheated or placed in refrigeration to be used in whole or in part on another day;
 - (C) Salads containing potentially hazardous food shall not be prepared on-site; and

- (D) All meats, poultry, and fish shall be purchased in pre-portioned, ready-to-cook form.

(2) Food service equipment shall include:

- (A) Where meals are prepared and multi-service articles are used, at least a three-compartment sink with drainboards or countertop space of adequate size on each end, refrigeration equipment, and cooking equipment;
- (B) Where meals are prepared and only single-service articles are used, at least a two-compartment sink with drainboards or counter top space of adequate size on each end, refrigeration equipment, and cooking equipment; or
- (C) Where no meals are prepared and only single-service articles are used, refrigeration equipment, and at least a domestic two-compartment sink with drainboards or countertop space of adequate size on each end.

(3) A separate food preparation sink with drainboards shall be provided for the washing and processing of foods except where plan review shows that volume and preparation frequency do not require separate facilities.

(4) A separate lavatory for handwashing is required in food preparation and food service areas. If the dishwashing area is separate from the food preparation area, an additional lavatory shall be required in the dishwashing area. These handwashing lavatories shall be used only by food service personnel.

(5) A commercial hood shall be installed when foods are fried on-site. The hood shall be installed in accordance with the North Carolina Building Code and approved by the local building code enforcement agent.

(c) If baby food is prepared in the infant or toddler area, an infant/toddler food service area shall be provided. The infant/toddler food service area shall be used exclusively for the storage of infant bottles, warming of bottles, storage of fully prepared baby foods in their containers and the mixing of dry cereals with formula or with potable water from a source other than a lavatory used for handwashing. The food preparation counters, bottle warming equipment, food and food contact surfaces shall not be within reach of children. The infant/toddler food service area shall contain at least an adequate refrigerator, bottle warming equipment, an easily cleanable counter top and a separate lavatory for food service handwashing only. Domestic food service equipment may be used in infant/toddler food service areas regardless of child care center size.

- (1) All equipment shall be cleaned at least daily. Warming equipment shall be cleaned and sanitized as required in Rule .2812 or .2813 of this Section.
- (2) After each use, all multi-use and multi-service eating and drinking articles shall be cleaned and sanitized in the child care center kitchen.
- (3) Single-service articles shall be handled as required in

Rule .2814 of this Section.

- (4) Counter, shelf or cabinet space shall be provided for food storage. All dry cereal shall be stored in closed, labeled containers. Food supplies shall be stored in accordance with this Section.

(d) Equipment that was installed in a child care center prior to July 1, 1991 that does not meet all the design and fabrication requirements of this Section shall be deemed acceptable if it is in good repair, capable of being maintained in accordance with the rules of this Section and the food-contact surfaces are nontoxic. This exception shall not apply to equipment in Paragraph (c) of this Rule or to commercial hoods that are required for frying foods. Replacement equipment and new equipment acquired after July 1, 1991 shall meet the requirements of Paragraphs (a), (b) and (c) of this Rule. Licensed child care centers that increase the number licensed for or that increase the number of children to whom they serve food, shall comply with all the rules of this Section. Upon change of ownership, or the closing of the operation and the issuance of a new license, the child care center shall comply with all the rules of this Section.

History Note: Authority G.S. 110-91;

Eff. July 1, 1991;

Amended Eff. March 1, 1995;

Temporary Amendment Eff. April 15, 1998;

Amended Eff. April 1, 1999;

Temporary Amendment Eff. December 1, 1999.

.2812 MANUAL CLEANING AND SANITIZING

(a) Child care centers licensed for or serving food to 30 or more children, shall provide and use a three-compartment sink with drainboards or counter top space of adequate size on each end if utensils and equipment are manually cleaned and sanitized.

(b) Child care centers licensed for or serving food to fewer than 30 children ~~may that~~ use a domestic dishwasher and two compartment sink ~~with drainboards or countertop space of adequate size on each end for sanitizing multi-service articles shall sanitize washing and rinsing of multi-use and multi-service articles and equipment. Utensils and equipment shall then be sanitized in the sink as required in Subparagraph (c)(4) of this Rule. Sink compartments shall be large enough to submerge the largest items to be washed and each compartment shall be supplied with hot and cold running water.~~

(c) If required under Rule .2810 of this Section, Drainboards or countertop space of adequate size shall be provided for proper handling of soiled utensils prior to washing and cleaned utensils following sanitizing. For child care centers originally licensed on or after April 15, 1998, drainboards or countertop space shall be no less than 24" long. For child care centers licensed for fewer than 13 children and located in a residence, a domestic dishwasher may be used to provide the equivalent of 24" of drainboard space, and other designated areas not contiguous with the sink may be utilized to meet drainboard or countertop space requirements. Replacement equipment and new equipment acquired on or after April 15,

1998 shall meet the requirements of this Paragraph. Upon change of ownership, or the closing of the operation and the issuance of a new license, a child care center shall also comply with this Paragraph.

(d) Equipment and utensils shall be preflushed or prescraped and, when necessary, presoaked to remove gross food particles and soil.

(e) Except for fixed equipment and utensils too large to be cleaned in sink compartments, manual washing, rinsing, and sanitizing shall be conducted in the following sequence:

- (1) Sinks shall be cleaned and sanitized prior to use.
- (2) Equipment and utensils shall be thoroughly washed in the first compartment with a hot detergent solution that is kept clean.
- (3) Equipment and utensils shall be rinsed free of detergent and abrasives with clean water in the second compartment.
- (4) The food-contact surfaces of equipment and utensils shall be sanitized in the third compartment by:
 - (A) Immersion for at least one minute in clean, hot water at a temperature of at least 170°F (77°C);
 - (B) Immersion for at least two minutes in a clean solution containing at least 50 parts per million (ppm) of available chlorine at a temperature of at least 75°F (24°C);
 - (C) Immersion for at least two minutes in a clean solution containing at least 12.5 ppm of available iodine and having a pH not higher than 5.0 and at a temperature of at least 75°F (24°C); or
 - (D) Immersion for at least two minutes in a clean solution containing at least 200 ppm of quaternary ammonium products and having a temperature of at least 75°F (24°C), provided that the product is labeled to show that it is effective in water having a hardness value at least equal to that of the water being used.

(f) For utensils and equipment which are either too large or impractical to sanitize in a dishwashing machine or dishwashing sink, a spray-on or wipe-on sanitizer shall be used. When spray-on or wipe-on sanitizers are used, the chemical strengths shall be those required for sanitizing multi-use eating and drinking utensils. Spray-on or wipe-on sanitizers shall be prepared daily and kept on hand for bactericidal treatment.

(g) When hot water is used for sanitizing, the following facilities shall be provided and used:

- (1) An integral heating device or fixture installed in, on, or under the sanitizing compartment of the sink capable of maintaining the water at a temperature of at least 170°F (77°C); and
- (2) A numerically scaled indicating thermometer, accurate to $\pm 3^{\circ}\text{F}$ ($\pm 1.5^{\circ}\text{C}$), convenient to the sink for frequent checks of water temperature; and
- (3) Dish baskets of such size and design to permit complete immersion of the tableware, kitchenware, and equipment in the hot water.

(h) An approved testing method or equipment shall be available, convenient, and regularly used to test chemical sanitizers to insure minimum prescribed strengths.

(i) After sanitization, all equipment and utensils shall be air dried.

History Note: Authority G.S. 110-91;

Eff. July 1, 1991;

Amended Eff. February 1, 1995; July 1, 1993;

Temporary Amendment Eff. December 1, 1999; April 15, 1998.

.2815 WATER SUPPLY

(a) Running water under pressure shall be provided in sufficient quantities to meet the needs of cooking, cleaning, drinking, toilets, and outside uses without producing water pressure lower than that required by the North Carolina Plumbing Code.

(b) The water supply shall meet the requirements of 15A NCAC 18C or 15A NCAC 18A .1700 Protection of Water Supplies. Samples of water shall be collected by the Environmental Health Specialist and submitted to a state certified laboratory for bacteriological analysis annually. Other tests of water quality, as indicated by possible sources of contamination, may be collected by the Environmental Health Specialist.

(c) No cross-connections with an unapproved water supply shall exist. If potential back-flow conditions exist, an approved back-flow prevention device shall be provided.

(d) Water heating equipment that is sufficient to meet the maximum expected requirements of the child care center shall be provided. For child care centers not located in a residence, Capacity capacity and recovery rates of hot water heating equipment shall be based on number and size of sinks, capacity of dishwashing machines, capacity of laundering machines, diaper changing facilities, and other food service and cleaning needs. For child care centers licensed for fewer than 13 children and located in a residence, an existing water heater, or the equivalent replacement, shall be adequate if all required temperatures are maintained. Hot and cold water under pressure shall be easily accessible to all rooms where food is processed or handled, rooms in which utensils or equipment are washed, and other areas where water is required for cleaning and sanitizing, including lavatories and diaper changing areas.

(e) Hot water heating equipment shall provide hot water at a minimum temperature of 130°F (54°C) at the point of use when hot water is not used for sanitizing. When hot water is used for sanitizing, a minimum temperature of 140°F (60°C) shall be provided at the point of use. However, hot water to those areas accessible to children, including lavatories serving diaper changing areas, shall be no less than 90°F (32°C) and shall not exceed 110°F (43°C), except that for child care centers serving only school-aged children the 90°F (32°C) minimum temperature requirement shall not apply.

History Note: Authority G.S. 110-91;

Eff. July 1, 1991;

Amended Eff. February 1, 1995;

Temporary Amendment Eff. April 15, 1998;

Amended Eff. April 1, 1999;

Temporary Amendment Eff. December 1, 1999.

.2825 WALLS AND CEILINGS

(a) The walls and ceilings, including doors and windows, of all rooms and areas shall be kept clean and in good repair. All walls shall be nonabsorbent and easily cleanable.

(b) Ceilings in rooms in which food is stored, handled or prepared, utensil-washing rooms, and toilet rooms shall be non-absorbent and easily cleanable. Acoustic ceiling material may be used where ventilation precludes the possibility of grease and moisture absorption. For child care centers licensed for fewer than 13 children and located in a residence, ceilings of residential construction are acceptable if kept clean and in good repair.

(c) Walls and ceilings, including doors and windows in areas accessible to children, shall be free of peeling, flaking, or chalking paint.

(d) Walls and ceilings, including doors and windows, of all rooms and areas shall be free of identified lead poisoning hazards as defined under 15A NCAC 18A .3101.

History Note: Authority G.S. 110-91;

Eff. July 1, 1991;

Amended Eff. April 1, 1999; July 23, 1992;

Temporary Amendment Eff. December 1, 1999.

TITLE 18 - SECRETARY OF STATE

Rule-making Agency: *Secretary of State*

Rule Citation: *18 NCAC 10 .0101, .0201, .0301-.0309, .0701, .0801-.0802, .0901*

Notice of Rule-making Proceedings was published in the Register on: *March 15, 1999*

Effective Date of Temporary Rules: *December 3, 1999*

Findings Reviewed by Beecher R. Gray: *Not Approved. Submittal does not meet definition of temporary rule because previous temporary rules will expire on December 10, 1999.*

Authority for the rule-making: *G.S. 66-58.10*

Proposed Effective Date of Permanent Rules: *August 1, 2000*

Instructions on How to Demand a Public Hearing: *A public hearing may be demanded by making such request, in writing, to the North Carolina Department of the Secretary of State, Electronic Commerce Section, PO Box 29622, Raleigh, NC 27626-0622. A request for such hearing must be received by the Electronic Commerce Section within 15 days after the date the Notice of Text is published.*

Reason for Proposed Action: *Temporary rules were published in the NC Register on March 15, 1999 and are scheduled to expire on December 10, 1999, prior to review by the Rules Review Commission. The Department of the Secretary of State adopted temporary rules for the purpose of administration of the Electronic Commerce Act, G.S. 66-58.1 et seq., effective February 23, 1999. Since the adoption of the temporary rules referenced above, the Electronic Commerce Section of the Department has undertaken extensive efforts to develop revised rules that would enhance its ability to administer the Electronic Commerce Act. This process was time-consuming and extended given the significant changes necessary to the existing temporary rules so that administration of the act would be effective and efficient. It was also hindered by the relative absence of guidance on the topics of electronic commerce and digital signature authority and the need to develop uniformity among the states and the certification authority industry. The newly-submitted temporary rules intended to replace the current rules go a long way toward supporting the uniformity that will be necessary for effective administration of the Act.*

Comment Procedures: *Oral and written comments regarding these rules may be submitted to the Department of the Secretary of State, Electronic Commerce Section, PO Box 29622, Raleigh, NC 27626-0622, phone (919) 801-2193. Email may be sent to ecomm@mail.secstate.state.nc.us. Comments must be received no later than January 14, 2000.*

Fiscal Impact

State	Local	Sub.	None
			✓

TITLE 18 - SECRETARY OF STATE

CHAPTER 10 - ELECTRONIC COMMERCE SECTION

SECTION .0100 - GENERAL ADMINISTRATION

.0101 HOW TO CONTACT THE ELECTRONIC COMMERCE SECTION

The North Carolina Department of the Secretary of State administers the Electronic Commerce Act. The Secretary of State has designated the Electronic Commerce Section to administer the Act. The Electronic Commerce Section may be contacted by the following means:

- (1) Electronic mail messages (email) are welcome, and are an efficient means of communicating with the Electronic Commerce Section. Email may be sent to ecomm@mail.secstate.state.nc.us.
- (2) Regular mail may be sent to the Electronic Commerce Section at the following address: Electronic Commerce Section, Department of the Secretary of State, Post Office Box 29622, 2 South Salisbury Street, Raleigh, NC 27626-0622.
- (3) Up-to-date contact information regarding the Electronic Commerce Section is contained on the

Department of the Secretary of State's Internet site at <http://www.state.nc.us/secstate>.

- (4) Suggestions regarding program administration are welcome. Suggestions for improving electronic commerce in North Carolina, these Rules, the Electronic Commerce Section, and the Electronic Commerce Act are always welcome. Suggestions may be sent to the Electronic Commerce Section at the addresses given in this Rule.

History Note: Authority G.S. 66-58.10; Temporary Adoption Eff. February 23, 1999; Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule; Temporary Adoption Eff. December 3, 1999.

SECTION .0200 - DEFINITIONS

.0201 APPLICABLE DEFINITIONS

In addition to the definitions in the Electronic Commerce Act, Article 11A of Chapter 66 (G.S. 66-58.1 et seq.), the following apply in these Rules:

- (1) Affiliated Individual. An affiliated individual is the subject of a certificate that is associated with a sponsor approved by the Certification Authority (such as an employee affiliated with an employer). Certificates issued to affiliated individuals are intended to be associated with the sponsor and the responsibility for authentication lies with the sponsor.
- (2) Asymmetric Cryptosystem. A computer-based system that employs two different but mathematically related keys. They keys are computer-generated codes having the following characteristics:
 - (a) either key can be used to electronically sign and/or encrypt data, such that only the other key in that key pair is capable of verifying the electronic signature and/or decrypting the signed data; and
 - (b) the keys have the property that, knowing one key, it is computationally infeasible to discover the other key.
- (3) Authorized Certification Authority. A Certification Authority that has been issued a Certification Authority license by the North Carolina Department of the Secretary of State to issue certificates that reference these Rules.
- (4) Certification Authority Revocation List. A time-stamped list of revoked certification Authorities digitally signed by a Certification Authority or the Electronic Commerce Section.
- (5) Certificate. A record which:
 - (a) identifies the certification authority issuing it;
 - (b) names or identifies its subscriber;
 - (c) contains a public key that corresponds to a private key under the control of the subscriber;
 - (d) identifies its operational period or period of validity;

- (e) contains a certificate serial number and is digitally signed by the Certification Authority issuing it; and
- (f) conforms to the ITU/ISO X.509 Version 3 standards or other standards accepted under these Rules. As used in these Rules the term "Certificate" refers to certificates that expressly reference these Rules in the "Certificates Policy" filed for an X.509 v.3 certificate.
- (6) Certificate Manufacturing Authority. An entity that is responsible for the manufacturing and delivery of certificates signed by a Certification Authority, but is not responsible for identification and authentication of certificate subjects (i.e., a Certificate Manufacturing Authority is delegated the certificate manufacturing task by a Certification Authority).
- (7) Certificate Revocation List. A Certification Authority digitally signed, time-stamped list of revoked certificates.
- (8) Certification Authority. A Certification Authority is an entity authorized by the Secretary of State to facilitate electronic commerce. A Certification Authority is responsible for authorizing and causing certificate issuance. A Certification Authority can perform the functions of a Registration Authority and a Certificate Manufacturing Authority, or it can delegate or outsource either of these functions. A Certification Authority vouches for the connection between an entity and that entity's electronic signature. A Certification Authority performs two essential functions:
 - (a) First, it is responsible for identifying and authenticating the intended subscriber named in a certificate, and verifying the subscriber possesses the private key corresponding to the public key listed in the certificate; and
 - (b) Second, the Certification Authority actually creates (or manufactures) and digitally signs the certificate. The certificate issued by the Certification Authority represents the Certification Authority's statement as to the identity of the person named in the certificate and the binding of that person to a particular public-private key pair.
- (9) Certification Practice Statement. A "Certification Practice Statement" is documentation of the practices, procedures, and controls employed by a Certification Authority issuing, suspending, or revoking certificates and providing access to same. A Certification Practice Statement shall contain, at a minimum, detailed discussions of the following topics:
 - (a) technical security controls, including cryptographic modules and management;
 - (b) physical security controls;
 - (c) procedural security controls;
 - (d) personnel security controls;
 - (e) repository obligations, including registration management, subscriber information protection, and certificate revocation management; and
 - (f) financial responsibility.
- (10) Electronic Commerce Act. The North Carolina Electronic Commerce Act, G.S. Chapter 66, Article 11A. An Act to facilitate electronic commerce with and by North Carolina public agencies by recognizing the validity of electronic signatures and authorizing the Secretary of State to regulate electronic signatures and certification authorities.
- (11) Electronic Commerce Section.Component of the North Carolina Department of the Secretary of State responsible for reviewing Certification Authority license applications and administering the Electronic Commerce Act in North Carolina.
- (12) Electronic signature. Any identifier or authentication technique attached to or logically associated with an electronic record intended by the party using it to have the same force and effect as the party's manual signature.
- (13) Federal Information Processing Standards. Federal Standards prescribing specific performance requirements, practices, formats, communications protocols, etc. for hardware, software, data, telecommunications operation, etc. Federal agencies are expected to apply these standards unless a waiver has been granted.
- (14) Internet Engineering Task Force. The Internet Engineering Task Force is a large, open international community of network designers, operators, vendors, and researchers concerned with the evolution of the Internet architecture and the smooth operation of the Internet.
- (15) ITS Security Director. The ITS Security Director of North Carolina State government as designated by the Chief Information Officer for North Carolina State Government.
- (16) ITU/ISO X.509 Version 3 standards. Version three of the X.509 standards promulgated by the International Telecommunications Union and the International Organization for Standardization.
- (17) Key pair. Two mathematically related keys, having the properties that one key can be used to encrypt a message that can only be decrypted using the other key, and even knowing one key, it is computationally infeasible to discover the other key.
- (18) Object Identifier. An object identifier is a specially formatted number that is registered with an internationally recognized standards organization.
- (19) Operational Period of a Certificate. The operational period of a certificate is the period of its validity. It would typically begin on the date the certificate is issued (or such later date as specified in the certificate), and end on the date and time it expires as noted in the certificate or as earlier revoked or suspended.

- (20) PKIX. An Internet Engineering Task Force Working Group developing technical specifications for a public key infrastructure components based on X.509 Version 3 certificates.
- (21) Private Key. The key of a key pair used to create a digital signature. This key must be kept a secret. It is also known as the confidential key or secret key.
- (22) Public Key. The key of a key pair used to verify a digital signature. The public key is made available to anyone who will receive digitally signed messages from the holder of the key pair. The public key is usually provided in a Certification Authority issued certificate and is often obtained by accessing a repository. A public key is used to verify the digital signature of a message purportedly sent by the holder of the corresponding private key. It is also known as the published key.
- (23) Public Key Cryptography. A type of cryptographic technology employing an asymmetric cryptosystem.
- (24) Registration Authority. An entity responsible for identification and authentication of certificate subjects, but that does not sign or issue certificates (i.e., a Registration Authority is delegated certain tasks on behalf of a Certification Authority).
- (25) Relying Party. A recipient of a digitally signed message who relies on a certificate to verify the digital signature on the message.
- (26) Repository. A trustworthy system for storing and retrieving certificates and other information relating to those certificates.
- (27) Repository Services Provider. An entity that maintains a repository accessible to the public, or at least to relying parties, for purposes of obtaining copies of certificates and/or verifying the status of such certificates.
- (28) Responsible Individual. A person designated by a sponsor to authenticate individual applicants seeking certificates on the basis of their affiliation with the sponsor.
- (29) Revoke A Certificate. To prematurely end the operational period of a certificate from a specified time forward.
- (30) Secretary. The North Carolina Secretary of State.
- (31) Sponsor. An organization with which a subscriber is affiliated (e.g., as an employee, user of a service, business partner, customer, etc.).
- (32) Subject. A person whose public key is certified in a certificate. Also referred to as a "subscriber".
- (33) Subscriber. The person to whom a certificate is issued. A person who:
 - (a) is the subject named or identified in a certificate issued to such person; and
 - (b) holds a private key that corresponds to a public key listed in that certificate; and
 - (c) to whom digitally signed messages verified by reference to such certificate are to be attributed. See "subject".
- (34) Suspend a certificate. To temporarily suspend the operational period of a certificate for a specified time period or from a specified time forward.
- (35) Transaction. An electronic transmission of data between an entity and a public agency, or between two public agencies, including, but not limited to contracts, filings, and other legally operative documents not specifically prohibited in the Electronic Commerce Act.
- (36) Trustworthy System. Computer hardware, software, and procedures that:
 - (a) are reasonably secure from intrusion and misuse;
 - (b) provide a reasonable level of availability, reliability, and correct operation;
 - (c) are reasonably suited to performing their intended functions; and
 - (d) adhere to generally accepted security procedures.
- (37) Valid Certificate. A Valid certificate is one that:
 - (a) a Certification Authority has issued;
 - (b) the subscriber listed in it has accepted;
 - (c) has not expired; and
 - (d) has not been suspended or revoked.

A certificate is not valid until it is both issued by a Certification Authority and accepted by the subscriber.
- (38) X.500. A directory standard/protocol for connecting local directory services to form one distributed global directory. X.500 is an OSI (Open System Interconnection) protocol, named after the number of the ITU (International Telecommunications Union - a United Nations Specialized Agency) CCITT (International Telegraph and Telephone Consultative Committee) Recommendation document containing its specification.
- (39) X.509. A standard/protocol adopted by the International Telecommunication Union (formerly known as the International Telegraphy and Telephone Consultation Committee). For purposes of these rules, all references to X.509 shall be construed as referring to version 3. Compliance with X.509 versions 1 or 2 shall not be construed as compliance with X.509.

History Note: Authority G.S. 66-58.10(a)(1); Temporary Adoption Eff. February 23, 1999; Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule; Temporary Adoption Eff. December 3, 1999.

SECTION .0300 PUBLIC KEY TECHNOLOGY

.0301 PUBLIC KEY TECHNOLOGY LICENSING, FEES, RENEWAL

- (a) To be considered for licensure under this subsection, a Certification Authority shall utilize certificate-based public key

cryptography.

(b) Any applicant seeking licensure must demonstrate compliance with the North Carolina Electronic Commerce Act, G.S. 66, Article 11A, and these Rules.

(c) To request licensure, a Certification Authority shall provide the Electronic Commerce Section with a copy of its current Certification Practice Statement and most recent reports of compliance audit(s) as required by 18 NCAC 10 .0303(13).

(d) A Certification Authority shall adhere to its Certification Practice Statement. If a Certification Authority modifies its Certification Practice Statement, it shall provide an updated copy of the Certification Practice Statement to the Electronic Commerce Section as soon as is practicable, and no later than the date the updated Certification Practice Statement is put into operation. As a condition of continued licensure, the Electronic Commerce Section may require the Certification Authority to undergo an audit to document compliance with its updated Certification Practice Statement and these Rules.

(e) An initial licensing fee of two thousand dollars (\$2,000 US) shall accompany an initial application.

(f) A renewal fee of two thousand dollars (\$2,000 US) shall accompany an application for renewal by a licensed Certification Authority.

(g) A license issued by the Electronic Commerce Section pursuant to this section shall expire one year after its effective date, unless timely renewed.

(h) Financial Responsibility.

(1) As precondition of licensure a Certification Authority shall obtain a bond issued by a surety company authorized to do business in North Carolina. A copy of the bond shall be filed with the Electronic Commerce Section prior to licensure. The amount of the bond shall not be less than twenty-five thousand dollars (\$25,000 US). The bond shall be in favor of the State of North Carolina. The bond shall be payable for any penalties assessed by the Electronic Commerce Section pursuant to these rules and for any losses the State encounters resulting from a Certification Authority's conduct of activities subject to the Electronic Commerce Act or arising out of a violation of the Electronic Commerce Act or any Rule promulgated thereunder;

(2) As precondition of licensure a Certification Authority shall obtain indemnity insurance coverage (e.g. "errors and omissions" and/or "cyber coverage" and/or similar coverage) to protect subscribers, relying parties and the State for any losses resulting from the Certification Authority's conduct of activities subject to the Electronic Commerce Act or arising out of a violation of the Electronic Commerce Act or any Rule promulgated thereunder. Indemnity coverage shall be obtained and maintained in the amount of not less than one hundred thousand dollars (\$100,000 US) per occurrence and not less than one million dollars (\$1,000,000 US) for all occurrences;

(3) The failure of a Certification Authority to continuously maintain this surety bond and indemnity

insurance coverage may be the basis for revocation or suspension of its license.

History Note: Authority G.S. 66-58.3; 66-58.10(a)(2);

Temporary Adoption Eff. February 23, 1999;

Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule;

Temporary Adoption Eff. December 3, 1999.

.0302 PUBLIC KEY TECHNOLOGY: CERTIFICATION AUTHORITY: CERTIFICATE ISSUANCE AND MANAGEMENT - OVERVIEW

(a) Overview. These Rules specify minimum requirements for issuance and management of certificates that may be used in verifying digital signatures. The digital signatures may be used on categories of electronic communications specified as suitable applications in 18 NCAC 10 .0302(2)(e). Each item in these Rules must be specifically addressed by the Certification Authority in the Certification Authority's Certification Practice Statement filed with the North Carolina Department of the Secretary of State at the time the Certification Authority submits an application for licensure or renewal.

(b) Community and Applicability.

(1) Certification Authorities. These Rules are binding on each licensed Certification Authority issuing certificates identifying them, and govern Certification Authority performance with respect to all certificates it issues referencing the Rules. Specific Certification Authority Practice Statements and procedures implementing the requirements of these Rules shall be set forth in the Certification Authority Certification Practice Statement;

(2) Certification Authorities Authorized to Issue Certificates Under These Rules: Any Certification Authority may issue certificates identifying these Rules if licensed in the State of North Carolina and the Certification Authority agrees to be bound by and comply with the undertakings and representations of these Rules with respect to such certificates. Issuance of a certificate referencing this Policy shall constitute issuing the agreement of the Certification Authority to be bound by terms of the Rules for all certificates referencing them;

(3) Subscribers. A Certification Authority may issue certificates that reference these Rules to the following classes of subscribers:

(A) individuals (unaffiliated);

(B) individuals associated with a sponsor recognized by the Certification Authority ("affiliated individuals"), provided the sponsor is the subscriber of a valid certificate issued by the Certification Authority in accordance with these Rules;

(C) public agencies, as defined in G.S. 66-58.2; and

(D) organizations and businesses qualified as legal

entities;

- (4) Relying Parties. These Rules benefit the following persons, who may rely on certificates issued to others referencing them ("Qualified Relying Parties"):
 - (A) individuals intending to engage in a transaction with a public agency;
 - (B) public agencies, as defined in G.S. 66-58.2;
 - (C) organizations and businesses, qualified as legal entities, engaged in a transaction with a public agency; and
 - (D) other parties to a transaction with the entity and a public agency;
- (5) Suitable Applications. Certificates referencing this policy are intended to provide a level of identity binding assurance and the protection of document encryption, and are typically suitable for:
 - (A) System Access/Systems Security
 - (i) Verifying the identity of electronic mail correspondents for non-critical communications;
 - (ii) Obtaining access to databases, applications and systems;
 - (iii) Message/document encryption for protection of contents/identities where appropriate;
 - (B) Digital Signature Activity
 - (i) Commerce involving various goods or services with various values;
 - (ii) Obtaining personal data relating to the subscriber;
 - (C) Message/Document Encryption: Documents encrypted to protect contents (e.g. privacy of subject);
 - (D) Some sample applications of these Rules:
 - (i) Computing applications providing access to the certificate holder's own personal information;
 - (ii) Request and distribution of text information or other types of copyrighted content for which fees are charged or subscriptions are required;
 - (iii) Verifying the identity of communicating parties;
 - (iv) Verifying signatures on contracts, government benefits statements, and other documentation;
 - (v) Signing of electronic messages; e.g. official reports, employee leave and travel reporting, tax withholding, etc.; and
 - (vi) Secure transport of individual, patient specific medical/other privileged information over public networks.
- (6) Prohibited Applications. (Reserved)

not meet criteria for temporary rule;
Temporary Adoption Eff. December 3, 1999.

.0303 PUBLIC KEY TECHNOLOGY: CERTIFICATE POLICY GENERAL PROVISIONS

(a) Certification Authority Obligations. The Certification Authority is responsible for all aspects of certificate issuance and management, including control over:

- (1) the application/enrollment process;
- (2) the identification and authentication process;
- (3) the actual certificate manufacturing process;
- (4) certificate publication;
- (5) certificate suspension and revocation, publication of the Certificate Revocation List and Certification Authority Revocation Lists, as pertinent;
- (6) certificate renewal;
- (7) ensuring that all aspects of the certification Authority services and Certification Authority operations and infrastructure related to certificates issued under these Rules are performed in accordance with the requirements, representations, and warranties of these Rules; and
- (8) Delivering certificate updates and revocation transactions to the NC ITS directory, where pertinent.

(b) Representations by Certification Authority. By issuing a certificate referencing these Rules, a Certification Authority certifies to subscriber and all Qualified Relying Parties (who reasonably and in good faith rely on a certificate's information during its operational period in accordance with these Rules) that the Certification Authority has taken reasonable steps to verify certificate information unless otherwise noted in its Certification Practice Statement that:

- (1) the certification authority has issued, and will manage, the certificate in accordance with these Rules;
- (2) the Certification Authority has complied with the requirements of these Rules and its applicable Certification Practice Statement when authenticating the subscriber and issuing the certificate;
- (3) there are no misrepresentations of fact in the certificate known to the Certification Authority, and the Certification Authority has taken reasonable steps to verify additional information in the certificate unless otherwise noted in its Certification Practice Statement;
- (4) subscriber-provided information in the certificate application has been accurately transcribed to the certificate; and
- (5) the certificate meets all material requirements of these Rules and the Certification Authority's certification practice statement.

(c) Registration Authority and Certificate Manufacturing Authority Obligations: The Certification Authority shall be responsible for performing all identification and authentication functions and all certificate manufacturing and issuing functions. However, the Certification Authority may delegate performance of these obligations to an identified Registration Authority

History Note: Authority G.S. 66-58.10;
Codifier determined on November 23, 1999, agency findings did

and/or Certificate Manufacturing Authority, provided the Certification Authority remains primarily responsible for performance of those services by such third parties in a manner consistent with requirements of these Rules.

(d) Repository Obligations: The Certification Authority shall be responsible for providing a repository, performing/providing certificate updates as required and performing all associated functions. However, the Certification Authority may delegate performance of this obligation to an identified Repository Services Provider, provided the Certification Authority remains primarily responsible for performance of those services by such third party in a manner consistent with requirements of these Rules.

(e) Subscriber Obligations. In all cases, the Certification Authority shall require the subscriber to enter an enforceable contractual commitment for the benefit of Qualified Relying Parties obligating the subscriber to:

- (1) take reasonable precautions to prevent any loss, disclosure, or unauthorized use of the private key;
- (2) acknowledge that by accepting the certificate the subscriber is warranting all information and representations made by the subscriber included in the certificate are true;
- (3) use the certificate exclusively for authorized and legal purposes, consistent with these Rules;
- (4) immediately contact the Certification Authority and instruct the Certification Authority to revoke the certificate promptly upon any actual or suspected loss, disclosure, or other subscriber private key compromise.

(f) Relying Party Obligations. A Qualified Relying Party has a right to rely on a certificate referencing this Policy only if the certificate was used and relied upon for lawful purposes and under circumstances where:

- (1) the reliance was reasonable and in good faith in light of all circumstances known to the relying party at the time of reliance;
- (2) the purpose for which the certificate was used was appropriate under these Rules; and
- (3) the relying party checked the certificate status certificate prior to reliance, or a check of the certificate's status would have indicated the certificate was valid.

(g) Liability. (Reserved)

(h) Financial Responsibility. See 18 NCAC 10 .0301(8).

(i) Interpretation & Enforcement.

- (1) Governing Law. The laws of the State of North Carolina shall govern the enforceability, construction, interpretation, and validity of these Rules.
- (2) The holders of North Carolina Certification Authority licenses are not guaranteed any business by public agencies in North Carolina. All other state laws, policies, and procedures required to engage in business with public agencies in North Carolina must be complied with by the Certification Authority and public agencies.
- (3) Dispute Resolution Procedures. Disputes between or

among subscribers, trusted third parties or relying parties shall be reduced to writing and delivered to each party. Parties shall negotiate in good faith and use reasonable efforts to resolve such disputes. Parties shall not resort to any formal proceedings to resolve such disputes until they have reasonably determined that a negotiated resolution is not possible.

(j) Fees. A Certification Authority shall not impose any fees for reading these Rules or its Certification Practice Statement. A Certification Authority may charge access fees on certificates, certificate status information, or certificate revocation lists, subject to agreement between the Certification Authority and subscriber, and in accordance with a fee schedule published by the Certification Authority in its Certification Practice Statement or otherwise.

(k) Publication & Repositories:

- (1) Publication of Certification Authority Information. Each authorized Certification Authority shall operate a secure online repository available to Qualified Relying Parties. The repository shall contain:
 - (A) issued certificates that reference these Rules;
 - (B) a Certificate Revocation List or on-line certificate status database;
 - (C) the Certification Authority's certificate for its signing key;
 - (D) past and current versions of the Certification Authority's Certification Practice Statement;
 - (E) a copy of these Rules; and
 - (F) other relevant information relating to certificates referencing these Rules.

(2) Frequency of Publication. All information to be published in the repository shall be published promptly after such information is available to the Certification Authority. In no case shall more than 24 hours pass between certification authority awareness of a change and the Certification Authority publishing of the change. Certificates issued by the Certification Authority referencing these Rules will be published promptly upon acceptance of such certificate by the subscriber. Certificate revocations and suspensions will be published contemporaneously with the act of revocation or suspension. Information relating to revocation or suspension of a certificate and will be published in accordance with 18 NCAC 10 .0305(6)(b) and 10 .0305(10).

(l) Access Controls. The repository will be available to Qualified Relying Parties and subscribers 24 hours per day, 7 days per week, subject to reasonable, published, scheduled maintenance and the Certification Authority's then-current terms of access. A Certification Authority shall not impose any access controls on these Rules, the Certification Authority's certificate for its signing key, and past and current versions of the Certification Authority's Certification Practice Statement. A Certification Authority may impose access controls on certificates, certificate status information, or Certificate Revocation Lists at its discretion, subject to agreement between

the Certification Authority and subscriber, in accordance with provisions published in its Certification Practice Statement or otherwise.

(m) Required Compliance Audits:

(1) The Certification Authority must submit to audit to determine its stability, prospects for longevity and adequacy of its security practices and conditions. The audits must result in unqualified compliance reports. When a Certification Authority is licensed in North Carolina based on a reciprocity agreement between North Carolina and another state, the Certification Authority may submit certified copies of audit reports required by the other jurisdiction. After review by the Electronic Commerce Section, audit reports may be determined to meet North Carolina Certification Authority audit requirements.

(2) A Certification Authority shall adhere to its Certification Practice Statement. If a Certification Authority modifies its Certification Practice Statement, it shall provide an updated copy of the Certification Practice Statement to the Electronic Commerce Section as soon as practicable and no later than the date the updated Certification Practice Statement is put into operation. At the discretion of the Electronic Commerce Section, the Certification Authority may be required to undergo additional/other audits for license renewal.

(3) Stability and Longevity Prospects Audit:

(A) Before initial approval as a licensed Certification Authority, the Certification Authority (and each Registration Authority, Certificate Manufacturing Authority, and Repository Services Provider, as applicable) shall submit to audit by an independent Certified Public Accounting firm. The audit must address the American Institute of Certified Public Accountants (AICPA) Section 341, "The Auditor's Consideration of an Entity's Ability to Continue as a Going Concern".

(B) The audit must produce an unqualified report from the CPA firm to the Certification Authority. A certified copy of the audit report must be attached by the Certification Authority to the application for a new Certification Authority license or renewal license, and submitted to the Electronic Commerce Section.

(C) As a condition of continued licensure, the Electronic Commerce Section may require the Certification Authority to undergo audit to document compliance with expectations for secure operations, an updated Certification Practice Statement, or to document continuing compliance with the ITU/ISO X.509 Version 3 standards and these Rules.

(D) A Certification Authority operated by an Agency of the State of North Carolina is

exempt from this requirement.

(4) Security Audit. The purpose of a security audit is to verify:

(A) The Certification Authority has in place a secure system assuring quality of Certification Authority Services provided; and

(B) the Certification Authority's system complies with all security requirements of these Rules, the Certification Authority's Certification Practice Statement and ITU/ISO X.509 Version 3 standards.

Before initial approval as a licensed Certification Authority, and thereafter at least once every year, the Certification Authority shall submit to a security compliance audit by an independent nationally recognized security audit firm approved by the Electronic Commerce Section. The audit must evidence compliance with Federal Information Processing Standards 140-1 "Security: Cryptographic Modules" Level 2 and TSEC (The Orange Book) C2 criteria or comply with contemporary Certification Authority security criteria as expressed in terms of the "Common Criteria" - ISO 15408-1:1999. The security audit firm must be qualified to perform a security audit on a Certification Authority and it must have significant knowledge and/or experience in Public Key Infrastructure application and cryptographic technologies. A certified copy of the current unqualified security audit report must be attached to an application for a new certification authority license or renewal license, and submitted to the NC Department of Secretary of State, Electronic Commerce Section.

(n) Confidentiality Policy. Subscriber consent must be obtained for each incident of disclosure and for each item of information unless required otherwise by law. The Certification Authority may not sell or exchange information in any circumstance that is not specifically allowed by these Rules or otherwise required by law.

(1) A Certification Authority may not use data gathered in fulfilling its Certification Authority role for any other purpose. A Certification Authority shall not gather information beyond that necessary to authenticate a subscriber nor shall it use information gathered in its Certification Authority role to assemble further information about subscribers;

(2) Under no circumstance shall a Certification Authority (or any Registration Authority, Repository Services Provider, Certificate Manufacturing Authority) have access to the signing private key(s) [versus encryption key(s)] of any subscriber to whom it issues a certificate referencing these Rules; except for initial creation of the signing/secret key where the key is not accessed and no enduring record is made of the key.

(o) Information Not Considered Confidential.

(1) Information appearing on certificates is not confidential.

- (2) Disclosure of Certificate Revocation/Suspension Information. Information regarding the revocation or suspension status of a certificate is not confidential and is disclosed in the normal course of public key infrastructure activity.
- (3) Release to law enforcement officials. (Reserved)
- (4) Release as part of civil discovery. (Reserved)
- (5) Any information may be disclosed upon owner's request.
- (6) Other information release circumstances. (Reserved)

History Note: Authority G.S. 66-58.10;

Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule;

Temporary Adoption Eff. December 3, 1999.

.0304 PUBLIC KEY TECHNOLOGY: IDENTIFICATION AND AUTHENTICATION

(a) Initial Registration:

- (1) Subject to requirements of this rule certificate applications may be communicated from the applicant to Certification Authority or Registration Authority, and authorizations to issue certificates may be communicated from a Registration Authority to the Certification Authority, electronically via E-mail or a web site, provided all communication is secured by SSL or a similar security protocol, by first class U.S. Mail or similar service;

- (2) North Carolina deploys two levels/classes of authentication certificate:

- (A) A North Carolina Strong Authentication Certificate application requires the subscriber to appear before the Certification Authority or Registration Authority in person or for all identification documents to be notarized and delivered by a trustworthy method (for example, US Mail, courier, etc.); or

- (B) A North Carolina Basic Authentication Certificate application may be accomplished without subscriber personal appearance and without notarized documents.

(b) Types of Names. The subject name used for certificate applicants shall be the X.509 Distinguished Name. The name shall be unique for each entity certified by a Certification Authority. A Certification Authority may issue more than one certificate with the same subject name for the same subject entity.

(c) Name Meanings. The subject name listed in a certificate must have a reasonable association with the authenticated name of the subscriber. In the case of an individual, this should be a combination of first name and/or initials and surname. In the case of an organization, the name should reflect the legal name of the organization and/or unit.

(d) Rules for Interpreting Various Name Forms. (Reserved)

(e) Name Uniqueness. The subject name listed in a certificate shall be unambiguous and unique for all certificates issued by the Certification Authority and shall conform to X.500 standards

for name uniqueness. If necessary, additional numbers or letters may be appended to the real name to ensure the name's uniqueness within the domain of certificates issued by the Certification Authority and detailed in the Certification Practice Statement.

(f) Verification of Key Pair. The Certification Authority shall establish that the applicant is in possession of the private key corresponding to the public key submitted with the application in accordance with an appropriate secure protocol, such as that described in the Internet Engineering Task Force Public Key Infrastructure Certificate Management Protocol or through other means.

(g) Authentication of an Organization. An organization can be issued a North Carolina Strong Authentication Certificate. An organization cannot be issued a North Carolina Basic Authentication Certificate.

- (1) Identification. A Certification Authority shall be presumed to have confirmed that the prospective subscriber organization is the organization to be listed in a certificate where the Certification Authority has assured by investigation:

(A) The organization exists and conducts business at the address listed in the certificate application;

(B) A duly authorized representative of the applicant organization signed the certificate application;

(C) The information contained in the certificate application is correct;

(D) If required by State law, the organization is authorized to transact business and is in "good standing" with the Corporations Division of the North Carolina Department of the Secretary of State.

- (2) When authenticating an organizational applicant, the Certificate Authority or Registration Authority shall require the following elements of information from the applicant on a notarized affidavit:

(A) Organization Name;

(B) Street address and mailing address, if different;

(C) City;

(D) State;

(E) Zip;

(F) Tax Payer Identification Number/Employer Identification Number (EIN);

(G) Corporate Identification Number (Issued by Secretary of State);

(H) Date of incorporation or creation;

(I) State or country of incorporation or creation;

(J) Telephone number (optional);

(K) E-mail address (optional);

(L) Post data element (e.g. password, etc.) to be a secret shared with the Certification Authority/Registration Authority and used later for authentication in the absence of the digital signature. This element could be used along with additional information to authenticate a

request for certificate revocations;

(M) Name of officially authorized agent, if applicable.

(3) Authentication and Confirmation Procedure. In conducting its review and investigation, the Certification Authority shall review official government records and/or engage the services of a reputable third party vendor of business information to do so. The Certification Authority or third party review will provide validation information concerning each organization applying for a certificate, including legal company name, type of entity, year of formation, names of directors and officers, address, telephone number, and good standing in the jurisdiction where the applicant was incorporated or otherwise organized.

(4) Personal Presence. (Reserved)

(h) Authentication of Individual - No Affiliation: An unaffiliated individual may be issued a North Carolina Strong Authentication Certificate, North Carolina Basic Authentication Certificate, or both. In determining the type of certificate required, agencies should evaluate the application's sensitivity and nature of business with which the certificate holder will be associated. Based on the evaluation, a NC Basic Authentication Certificate may be appropriate. In other cases, it may be appropriate to require a North Carolina Strong Authentication Certificate.

(1) Identification: North Carolina Strong Authentication Certificate. A Certification Authority shall be presumed to have confirmed that the prospective subscriber is the person to be listed in a certificate where the Certification Authority has been presented with documents consisting at least of: two pieces of identification when authenticating an unaffiliated individual applicant for a North Carolina Strong Authentication Certificate. At least one piece of identification shall be a current federal or state government-issued picture-type identification such as a military or government identification card, driver's license, or similar identification document issued under authority of another country, or passport. The Certification Authority or Registration Authority shall initial, date and archive copies of identification used to establish the subscriber's identity.

(2) Authentication for a North Carolina Strong Authentication Certificate. Authenticating an unaffiliated individual applicant, the Certification Authority or Registration Authority shall require the following elements of information from the applicant on a notarized affidavit:

- (A) Last name (family name);
- (B) First name (given name);
- (C) Middle Name(s);
- (D) Street address and mailing address, if different;
- (E) City;
- (F) State;
- (G) Zip;

(H) Social Security Number (SSN), national identification number or passport number;

(I) Driver's license number, or state identification card number;

(J) Date of birth;

(K) Place of birth;

(L) Telephone number (optional);

(M) E-mail address (optional);

(N) Post data element (e.g. mother's maiden name, password, etc.) to be used later for authenticating an individual in the absence of their digital signature. This element could be used along with additional information to authenticate a request for certificate revocations;

(O) Name of officially authorized agent, if applicable.

(3) Authentication for a North Carolina Basic Authentication Certificate. Certification Authorities or Registration Authorities shall require a notarized affidavit from the applicant's personnel officer, signed by the applicant including:

(A) Last name (family name);

(B) First name (given name);

(C) Middle name(s);

(D) Street address and mailing address, if different;

(E) City;

(F) State;

(G) Zip;

(H) Social Security Number (SSN), national identification number or passport number;

(I) Driver's license number, or state identification card number;

(J) Date of birth;

(K) Place of birth;

(L) Business Telephone number (optional);

(M) Business E-mail address (optional) as assigned by agency;

(N) Post data element (e.g. mother's maiden name, password, etc.) to be used later for authenticating an individual in the absence of their digital signature. This element could be used along with additional information to authenticate a request for certificate revocations;

(O) Name of officially authorized agent, if applicable;

(P) Beginning date of employment;

(Q) Ending date of employment (if known).

(4) Investigation and Confirmation. Verification of the name and SSN and the Name and Driver's License (or ID Number) data elements may be accomplished via checks with the Social Security Administration and the appropriate state motor vehicle administration. Verification of the name and address data elements may be accomplished through access to either a trusted commercial or governmental data source. The

address confirmation data sources may consist of either online databases or local business records (e.g., a bank's customer records, the U.S. Postal Service, state motor vehicle department records, state personnel office, etc.).

(5) Personal Presence. Authentication of an unaffiliated individual requires the applicant must either:

- (A) personally present himself or herself to a Registration Authority to be authenticated prior to certificate issuance; or**
- (B) securely deliver signed and notarized copies of the requisite identification to the Certification Authority [in which case, once notarized copies are delivered parties may communicate electronically]. Where the applicant delivers notarized copies of identification to the Certification Authority, authentication of such identification will be confirmed through the use of a shared secret [such as a personal identification number]. The shared secret is separately communicated in a trustworthy manner to the applicant and included with the documents delivered as part of the certificate application process.**
- (C) an individual may meet expectations for personal presence by an attorney-in-fact, trustee or other court appointed fiduciary.**

(i) Authentication of Individual - Affiliated Certificate.

(1) Identification.

- (A) The Certification Authority may establish a trustworthy procedure whereby a sponsoring organization that has been authenticated by the Certification Authority and issued a certificate may designate one or more Responsible Individuals, and authorize them to represent the sponsoring organization concerning the issuance and revocation of certificates for affiliated individuals. The Certification Authority may rely on a designated Responsible Individual appointed by the sponsor to properly authenticate the individual applicant, if the Certification Authority has previously authenticated the sponsor as an organization and the Responsible Individual as an unaffiliated individual, in accordance with these Rules. A Certification Authority shall be presumed to have confirmed a prospective subscriber is the person to be listed in a certificate where the Certification Authority relies on a designated Responsible Individual appointed by the sponsor to properly authenticate the individual applicant, if the Certification Authority has previously authenticated the sponsor as an organization and the Responsible Individual as an unaffiliated individual, in accordance with these Rules.**

- (B) In the absence of a trustworthy procedure, affiliated individuals shall be authenticated in the same manner as unaffiliated individuals.**

(2) Authentication Confirmation Procedure. Authentication of the individual will be confirmed through the use of a shared secret (such as a Personal Identification Number). The shared secret is distributed via a trustworthy out of band communication to the applicant (either directly or via the sponsor) and included in the application process as part of the certificate enrollment process.

(3) Personal Presence.

- (A) Applicants affiliated with an approved sponsor can be authenticated through an electronically submitted application, based on an appropriate agreement with the sponsor, the approval of a designated Responsible Individual, and the distribution of Personal Identification Numbers or a similar security device;**
- (B) If a Certification Authority elected to use an online commercial database, the application may be filled out and submitted via the Internet from a home or business computer. In the case where a Certification Authority elects to use a local record check, the application process may take place over the Internet, or alternatively, the Certification Authority may require the applicant visit an appropriate business site in order to enter required information at a local terminal.**

(4) Duties of Responsible Individual. The Responsible Individual represents the sponsoring organization with respect to the issuance and management of certificates. In that capacity he or she is responsible for properly indicating which subscribers are to receive certificates.

(j) Renewal Applications (Routine Re-key). A subscriber may request issuance of a new certificate for a new key pair from the Certification Authority issuing the original certificate. The request may be made electronically by a digitally signed message based on the old key pair in the original certificate under these conditions:

- (1) The request must occur during the period two months prior to normal scheduled certificate expiration;**
- (2) The subscriber must be authenticated following the principles of these Rules; and**
- (3) The original certificate has not been suspended or revoked.**

(k) Re-key after Revocation. Revoked or expired certificates shall not be renewed under any conditions. Applicants without a valid certificate from the Certification Authority that references these Rules shall be re-authenticated by the Certification or Registration Authority on certificate application, just as with a first-time application.

(l) Revocation Request.

(1) Electronic Revocation Request.

- (A) A revocation request submitted electronically**

may be authenticated by digital signature using the "old" key pair;

- (B) Electronic revocation requests authenticated on the basis of the old (compromised) key pair shall always be accepted as valid. Other revocation request authentication mechanisms are acceptable. These authentication mechanisms balance the need to prevent unauthorized revocation requests against the need to quickly revoke certificates.
- (2) Non-Electronic Revocation Request.
 - (A) Organization initiated revocation of affiliated certificate(s) shall be authenticated by communication from a known person and/or official authorized to initiate revocations on behalf of an organization.
 - (B) Subscriber initiated requests for revocation of certificate(s) shall be authenticated by presentation of a signed and notarized request for revocation.
 - (C) Subscriber initiated requests for revocation of certificates via an attorney-in-fact shall be authenticated by presentation of:
 - (i) a notarized request for revocation by the attorney-in-fact; and
 - (ii) a certified copy of the power of attorney.
 - (D) Revocation by a court of competent jurisdiction may be made by presentation of a certified court order.

*History Note: Authority G.S. 66-58.10;
Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule;
Temporary Adoption Eff. December 3, 1999.*

.0305 PUBLIC KEY TECHNOLOGY: OPERATIONAL REQUIREMENTS

(a) Certificate Application. A certificate applicant shall complete a certificate application in a form prescribed by the Certification Authority Certificate Policy and enter into a subscriber agreement with the Certification Authority. All applications are subject to Certification Authority review, approval, and acceptance. A Certificate Policy shall define the minimum content to be used for a certificate application. The Certificate Policy shall also specify that all applications are subject to review, approval, and acceptance by the Policy Authority in addition to the Issuer.

(b) Certificate Issuance. Upon successful completion of the subscriber identification and authentication process in accordance with these Rules, and complete and final approval of the certificate application, the Certification Authority shall:

- (1) issue the requested certificate;
- (2) notify the applicant thereof; and
- (3) make the certificate available to the applicant using a procedure that:
 - (A) assures the certificate is only delivered to or

available for subscriber pickup; and

- (B) provides adequate proof of subscriber identification in accordance with these Rules.
A Certification Authority will not issue a certificate without the consent of the applicant and, if applicable, the applicant's sponsor.

(c) Certificate Acceptance. Following certificate issuance, the Certification Authority shall continually require the subscriber to expressly indicate certificate acceptance or rejection to the Certification Authority, in accordance with established Certification Authority Certification Practice Statement procedures.

(d) Circumstances for Revocation of Certificate.

- (1) Permissive Revocation. A subscriber may request revocation of his, her, or its certificate at any time for any reason. A sponsoring organization, where applicable, may request certificate revocation of any affiliated individual at any time for any reason. The issuing Certification Authority may also revoke a certificate upon failure of the subscriber, or where applicable, sponsoring organization failure to meet its obligations under these Rules, the applicable Certification Practice Statement, or any other agreement, regulation, or law applicable to the certificate that may be in force.

(2) Required Revocation. A subscriber or sponsoring organization, where applicable, shall promptly request revocation of a certificate when:

- (A) any information on the certificate changes or becomes obsolete;
- (B) the private key, or the media holding the private key associated with the certificate is, or is suspected of having been compromised; or
- (C) an affiliated individual is no longer affiliated with the sponsor.

(3) The issuing Certificate Authority shall revoke a certificate:

- (A) upon request of the subscriber or sponsoring organization;
- (B) upon failure of the subscriber (or the sponsoring organization, where applicable) to meet its material obligations under these Rules, any applicable Certification Practice Statement, or any other agreement, regulation, or law applicable to the certificate that may be in force;
- (C) if knowledge or reasonable suspicion of compromise is obtained; or
- (D) if the Certification Authority determines that the certificate was not properly issued in accordance with these rules and/or any applicable Certification Practice Statement.

(4) Notice of the Certification Authority ceasing operation shall be posted to the Certification Authority Revocation List maintained by the Electronic Commerce Section of the Department of the Secretary of State.

(c) Who Can Request Revocation. The only persons permitted to request revocation of a certificate issued pursuant to these Rules are:

- (1) the subscriber;
- (2) the sponsoring organization (where applicable); and
- (3) the issuing Certification Authority.

(f) Procedure for Revocation Request.

- (1) A certificate revocation request should be promptly communicated to the issuing Certification Authority, either directly or through a Registration Authority. A certificate revocation request may be communicated electronically if it is digitally signed with the private key of the subscriber, or where applicable, the sponsoring organization. Requests digitally signed by the subscriber, or by the sponsoring organization, are considered authenticated when received by the Certification Authority or Registration Authority. Alternatively, the subscriber, or where applicable, the sponsoring organization, may request revocation by contacting the Certification Authority or an authorized Registration Authority in person and providing adequate proof of identification to authenticate the request in accordance with these Rules. Copies of the digitally signed request must be archived by the Certification Authority or Registration Authority. Other identification used to establish the subscriber's identity shall be photocopied and initialed by an authorized representative of the Certification Authority or Registration Authority and archived.

- (2) Repository/Certificate Revocation List Update. Promptly, within less than 2 hours of revocation, the Certificate Revocation List, or certificate status database in the repository, as applicable, shall be updated. All revocation requests and the resulting actions taken by the Certification Authority shall be archived.

(g) Revocation Request Grace Period. Certificate revocation requests shall be authenticated and processed within 2 hours of receipt by the Certification Authority.

(h) Certificate Suspension. The procedures and requirements stated for certificate revocation must also be followed for certificate suspension, where implemented.

(i) Certificate Revocation List Issuance Frequency. When Certificate Revocation Lists are used, an up-to-date Certificate Revocation List shall be issued to the repository at least every 2 hours. If no change has been made to the Certificate Revocation List, an update to the Certificate Revocation List in the repository is not necessary.

(j) Online Revocation/Status Checking Availability. Whenever an online certificate status database is used as an alternative to a Certificate Revocation List, such database shall be updated no later than 2 hours after certificate revocation.

(k) Computer Security Audit Procedures. All significant security events on the Certification Authority system should be automatically recorded in audit trail files. The audit log shall be processed and archived at least once a week. Such files shall be retained for at least 6 months onsite, and thereafter shall be

securely archived.

(l) Records, Archival.

- (1) Types of Records Archived. The following data and files must be archived by (or on behalf of) the Certification Authority:

- (A) All computer security audit data;
- (B) All certificate application data;
- (C) All certificates, and all Certificate Revocation Lists or certificate status records generated;
- (D) Key histories; and
- (E) All correspondence between the Certification Authority and Registration Authority, Certificate Manufacturing Authority, Repository Services Provider, and/or subscriber.

- (2) Retention Period for Archive. Key and certificate information and archives of audit trail files must be retained for at least 30 years.

- (3) Protection of Archive. The archive media must be protected either by physical security alone, or a combination of physical security and cryptographic protection. The archive must be protected from environmental threats such as temperature, humidity, and magnetism. The Certification Practice Statement must address the procedure for transferring and preserving the archive media in the case of the Certification Authority ceasing operation in this State.

- (4) Archive Backup Procedures. Adequate backup procedures must be in place. In event of loss or destruction of primary archives, a complete set of backup copies must will be readily available within no more than 24 hours. Back up procedures must be tested regularly.

(m) Archive Collection System (Internal or External). (Reserved)

(n) Procedures to Obtain and Verify Archive Information. During the compliance audit required by these Rules, the auditor shall verify integrity of the archives. Either copy of the archive media determined corrupted or damaged in any way, shall be replaced with the backup copy held in the separate location and noted in the compliance audit report.

(o) Key Changeover. (Reserved)

(p) Compromise and Disaster Recovery.

- (1) Disaster Recovery Plan:

- (A) The Certification Authority must have in place an appropriate disaster recovery/business resumption plan. The Certification Authority must set up and render operational a facility located in a geographic area not affected or disrupted by the disaster. The facility must provide Certification Authority Services in accordance with these Rules. The alternate facility must be operational within 24 hours of an unanticipated emergency. Disaster recovery planning shall include a complete and periodic test of facility readiness. Such plan shall be identified and referenced within the

Certification Practice Statement or other appropriate documentation available to Qualified Relying Parties.

- (B) The disaster recovery plan will have been reviewed during Certification Authority initial and subsequent third party audits.
- (2) Key Compromise Plan. The Certification Authority must have a key compromise plan in place. The plan must address procedures to be followed in the event the Certification Authority's private signing key used to issue certificates is compromised or in the event the private signing key of any Certification Authority higher in the chain of trust is compromised. Such plan shall include procedures for revoking all affected certificates and promptly notifying all subscribers and all Qualified Relying Parties.

(q) Certification Authority Termination. In the event that the Certification Authority ceases operation, the North Carolina Department of the Secretary of State Electronic Commerce Section, North Carolina Information Technology Services, all subscribers, sponsoring organizations, Registration Authorities, Certificate Manufacturing Authorities, Repository Service Providers, and Qualified Relying Parties shall be promptly notified of the termination. In addition, all Certification Authorities with which cross-certification authority agreements are current at the time of cessation must be promptly informed of the termination. All certificates issued by the Certification Authority referencing these Rules will be revoked no later than the time of termination.

*History Note: Authority G.S. 66-58.10;
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Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule;
Temporary Adoption Eff. December 3, 1999.*

.0306 PUBLIC KEY TECHNOLOGY: PHYSICAL, PROCEDURAL, AND PERSONNEL SECURITY CONTROLS

(a) Physical Security -- Access Controls.

- (1) The Certification Authorities, and all Registration Authorities, Certificate Manufacturing Authorities and Repository Services Providers, shall implement appropriate physical security controls to restrict access to hardware and software (including the server, workstations, and any external cryptographic hardware modules or tokens) used in connection with providing Certification Authority Services. Access to such hardware and software shall be limited to personnel performing in a Trusted Role as described in this Rule. Access shall be controlled through the use of electronic access controls, mechanical combination lock sets, or deadbolts. Such access controls must be manually or electronically monitored for unauthorized intrusion at all times.
- (2) Breach of physical security and/or access control expectations may result in revocation of the

Certification Authority's license.

(b) Procedural Controls.

- (1) Trusted Roles. All employees, contractors, and consultants of a Certification Authority (collectively "personnel") having access to or control over cryptographic operations that may materially affect the Certification Authority's issuance, use, suspension, or revocation of certificates shall, for purposes of these Rules, be considered as serving in a trusted role. This includes access to restricted operations of the Certificate Authority's repository. Such personnel include, but are not limited to, system administration personnel, operators, engineering personnel, and executives who are designated to oversee the Certification Authority's operations.
- (2) Multiple Roles (Number of Persons Required Per Task). To ensure that one person acting alone cannot circumvent safeguards, multiple roles and individuals should share Certification Authority server responsibilities. Each account on the Certification Authority server shall have limited capabilities commensurate with the role of the account holder.

(c) Personnel Security Controls.

- (1) Background and Qualifications. Certification Authorities, Registration Authorities, Certificate Manufacturing Authorities and Repository Service Providers shall formulate and follow personnel and management policies sufficient to provide reasonable assurance of the trustworthiness and competence of their employees and of the satisfactory performance of their duties in manner consistent with these Rules.
- (2) Background Investigation.
- (A) Certification Authorities shall conduct an appropriate background investigation of all personnel who serve in trusted roles (prior to their employment and periodically thereafter, as necessary), to verify their trustworthiness and competence in accordance with the requirements of these Rules and the Certification Authority's personnel Practice Statements or their equivalent. All personnel who fail an initial or periodic investigation shall not serve or continue to serve in a trusted role.
- (B) Operative personnel shall not ever have been convicted of a felony or a crime involving fraud, false statement or deception.
- (C) The principle of full disclosure must be applied in relation to background investigations and representations of operative personnel.
- (3) Training Requirements. All Certification Authority, Registration Authority, Certificate Manufacturing Authority and Repository Services Provider personnel must receive proper training in order to perform their duties, and update briefings thereafter as necessary to remain current.
- (4) Documentation Supplied to Personnel. All

Certification Authority, Registration Authority, Certificate Manufacturing Authority, and Repository Services Provider personnel must receive comprehensive user manuals detailing the procedures for certificate creation, update, renewal, suspension, revocation, and software functionality.

*History Note: Authority G.S. 66-58.10;
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.0307 PUBLIC KEY TECHNOLOGY: TECHNICAL SECURITY CONTROLS

(a) Key Pair Generation and Installation.

(1) Key Pair Generation. Key pairs for Certification Authorities, Registration Authorities, Certificate Manufacturing Authorities, Repository Services Providers, and subscribers must be generated in such a way that the private key is not known by other than the authorized user of the key pair. Acceptable methods include:

- (A) Having all users (Certification Authorities, Certificate Manufacturing Authorities, Registration Authorities, Repository Services Providers and subscribers) generate their own keys on a trustworthy system, and not reveal the private keys to anyone else; or
- (B) Having keys generated in hardware tokens from which the private key cannot be extracted.

(2) Certification Authority, Registration Authority, and Certificate Manufacturing Authority keys must be generated in hardware tokens. Key pairs for Repository Services Providers, and end-entities can be generated in either hardware or software as detailed in the Certification Practice Statement.

(b) Private Key Delivery to Entity. The private (secret) key shall be delivered to the subscriber in an "out of band" transaction. The secret key may delivered to the subscriber in a tamper-proof hardware or software container. The secret key may be delivered to the subscriber embedded in a hardware token protected by encryption and password protected.

(c) Subscriber Public Key Delivery to Certification Authority. The subscriber's public key must be transferred to the Registration Authority or Certification Authority in a way that ensures:

- (1) it has not been changed during transit;
- (2) the sender possesses the private key that corresponds to the transferred public key; and
- (3) the sender of the public key is the legitimate user claimed in the certificate application.

(d) Certification Authority Public Key Delivery to Users. The public key of the Certification Authority signing key pair may be delivered to subscribers in an on-line transaction in accordance with Internet Engineering Task Force Public Key

Infrastructure Part 3, or via another appropriate mechanism.

(e) Key Sizes - Asymmetric Cryptographic Applications.

- (1) Minimum key length for other than elliptic curve based algorithms is 1024 bits;
- (2) Minimum key length for elliptic curve group algorithms is 170 bits.

(f) Acceptable algorithms for public key cryptography applications include, but are not limited to:

- (1) RSA (Rivest, Shamir, Adelman) - digital signature and information security;
- (2) ElGamal - digital signature and information security;
- (3) Diffie - Hellman -- digital signature and information security;
- (4) DSA /DSS (Digital Signature Algorithm) -- digital signature applications.

(f) Certification Authority Private Key Protection. The Certification Authority (and the Registration Authority, Certificate Manufacturing Authority and Repository Services Provider) shall each protect its private key(s) in accordance with the provisions of these Rules.

- (1) Standards for Cryptographic Module. Certification Authority signing key generation, storage and signing operations shall be on a hardware crypto module rated at Federal Information Processing Standards 140-1 Level 2 (or higher). Subscribers shall use Federal Information Processing Standards 140-1 Level 1 approved cryptographic modules (or higher) and related pertinent cryptographic module security requirements of the Common Criteria - ISO 15408-1 "Evaluation Criteria".

(2) Private Key (N-M) Multi-Person Control. (Reserved)

(3) Private Key Escrow:

- (A) Certification Authority signing private keys shall not be escrowed;
- (B) Keys used solely for encryption purposes within and by employees of the State of North Carolina shall be escrowed, unless otherwise provided by law.

(4) Private Key Backup. An entity may back up its own private key.

(5) Private Key Archival. An entity may archive its own private key.

(6) Private Key Entry into Cryptographic Module. (Reserved)

(7) Method of Activating Private Key. (Reserved)

(8) Method of Deactivating Private Key. (Reserved)

(9) Method of Destroying Private Key. (Reserved)

(10) Other Aspects of Key Pair Management.

(A) Public Key Archival. (Reserved)

(B) Key Replacement. Certification Authority key pairs must be replaced at least every 3 years. Registration Authority and subscriber key pairs must be replaced not less than every 2 years and a new certificate issued.

(11) Restrictions on Certification Authority's Private Key Use.

(A) The Certification Authority's signing key used

for issuing certificates conforming to these Rules shall be used only for signing certificates and, optionally, Certificate Revocation Lists.

(B) A private key used by a Registration Authority or Repository Services Provider for purposes associated with its Registration or Repository Services Provider function shall not be used for any other purpose without the express written permission of the Certification Authority.

(C) A private key held by a Certificate Manufacturing Authority and used for purposes of manufacturing certificates for the Certification Authority:

(i) is considered the Certification Authority's signing key;

(ii) is held by the Certificate Manufacturing Authority as a fiduciary for the Certification Authority; and

(iii) shall not be used for any reason without the express written permission of the Certification Authority.

(D) Any other private key used by a Certificate Manufacturing Authority for purposes associated with its Certificate Manufacturing Authority function shall not be used for any other purpose without the express written permission of the Certification Authority.

(h) Activation Data. No stipulation.

(i) Computer Security Controls. All Certification Authority servers must include the functionality satisfying Federal Information Processing Standards 140-1 Level 2 (or higher) and pertinent cryptographic module security requirements of the Common Criteria - ISO 15408-1 "Evaluation Criteria" for IT Security either through the operating system, or combination of operating system, public key infrastructure application, and physical safeguards.

(j) Life Cycle Technical Controls:

(1) System Development Controls. System design and development shall be conducted using an industrial standard methodology, e.g. systems development life cycle approach (SDLC);

(2) Security Management Controls. (Reserved)

(k) Network Security Controls. (Reserved)

(l) Cryptographic Module Engineering Controls. (Reserved)

*History Note: Authority G.S. 66-58.10;
Temporary Adoption Eff. February 23, 1999;
Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule;
Temporary Adoption Eff. December 3, 1999.*

.0308 PUBLIC KEY TECHNOLOGY: CERTIFICATE AND CERTIFICATE REVOCATION LIST PROFILES

(a) Certificate Profile:

(1) Certificates referencing these Rules shall contain public keys used for authenticating the sender of an

electronic message and verifying the integrity of such messages, i.e. public keys used for digital signature verification;

(2) All certificates referencing these Rules will be issued in the X.509 version 3 format and will include a reference to the Object Identifier for these Rules, when assigned, within the appropriate field. The Certification Practice Statement shall identify the certificate extensions supported, and the level of support for those extensions.

(b) Certificate Revocation List Profile. If utilized, Certificate Revocation Lists will be issued in the X.509 version 2 format. The Certificate Practice Statement shall identify the Certificate Revocation List extensions supported and the level of support for these extensions.

*History Note: Authority G.S. 66-58.10;
Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule;
Temporary Adoption Eff. December 3, 1999.*

.0309 PUBLIC KEY TECHNOLOGY: RULE ADMINISTRATION

(a) Rule Change Procedures. (Reserved)

(b) List of Items. Notice of all proposed changes to these Rules, under consideration by the Department of the Secretary of State, that may materially affect users of the Rules (other than editorial or typographical corrections, or changes to the contact details) will be provided to licensed Certification Authorities. Notice will be posted on the World Wide Web site of the North Carolina Department of the Secretary of State. Authorized Certification Authorities shall post notice of such proposed changes in their repositories and shall advise their subscribers, in writing or by e-mail, of such proposed changes.

(c) Publication and Notification Procedures:

(1) A copy of these Rules is available in electronic form on the Internet at www.secretary.state.nc.us/ecomm/;

(2) Authorized Certification Authorities shall post copies of these Rules in their repositories.

*History Note: Authority G.S. 66-58.10;
Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule;
Temporary Adoption Eff. December 3, 1999.*

SECTION .0400 - BIOMETRICS (RESERVED)

SECTION .0500 - SIGNATURE DYNAMICS (RESERVED)

SECTION .0600 - (RESERVED)

SECTION .0700 - ALTERNATE TECHNOLOGIES

.0701 ALTERNATE TECHNOLOGIES AND PROVISIONAL LICENSING

(a) Alternate Technologies: Any person may petition the Electronic Commerce Section to initiate rulemaking to recognize a technology not currently recognized under these Rules. The

petition shall be made pursuant to G.S. 150B-20. G.S. 150B-20 and other statutes can be viewed at the North Carolina General Assembly's Internet site at <http://www.ncga.state.nc.us/>. In addition to the requirements of G.S. 150B-20, in order to enable the Electronic Commerce Section to best consider the petition, the petitioner should also provide a detailed explanation of the proposed technology, and a discussion of how the technology complies with the substantive intent of the Electronic Commerce Act.

(b) Provisional Licensing: If the Electronic Commerce Section accepts the proposed technology for rulemaking, it may, but is not required to, enter into provisional licensing agreements with persons utilizing the proposed technology and desiring licensure during the time before the new Rules are effective. The terms and conditions of any provisional licensing agreement shall be substantially consistent with these Rules.

History Note: Authority G.S. 66-58.10;

Temporary Adoption Eff. February 23, 1999;

Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule;

Temporary Adoption Eff. December 3, 1999.

SECTION .0800 - SANCTIONS AND ENFORCEMENT

.0801 CIVIL SANCTIONS

(a) If, upon investigation, the Electronic Commerce Section finds that a Certification Authority has violated any provision of the Electronic Commerce Act or these Rules, or finds that the Certification Authority has had a license revoked or suspended in any other jurisdiction, the Electronic Commerce Section may revoke or suspend any license issued under the Electronic Commerce Act and these Rules. The revocation or suspension may be in addition to any civil monetary penalty issued against the Certification Authority. As a condition of license reinstatement following a period of suspension, the Electronic Commerce Section may require that the Certification Authority submit updated or additional documentation or assurances regarding its operations.

(b) If, upon investigation, the Electronic Commerce Section finds that a Certification Authority has violated any provision of the Electronic Commerce Act or these Rules, the Electronic Commerce Section may assess a civil monetary penalty of not more than five thousand dollars (\$5,000 US) for each violation. The civil monetary penalty may be in addition to any revocation or suspension of the Certification Authority's license. As a condition of continued licensure following assessment of a civil monetary penalty, the Electronic Commerce Section may require that the Certification Authority submit updated or additional documentation or assurances regarding its operations.

(c) Adjustment factors. In determining the length of any suspension or amount of any civil monetary penalty, the Electronic Commerce Section shall consider:

- (1) The organizational size of the Certification Authority cited for violating the provisions of the Electronic Commerce Act;
- (2) The good faith of the Certification Authority cited,

including but not limited to any procedures or processes implemented by the violator to prevent the violation from recurring;

- (3) The gravity of the violation;
- (4) The prior record of the violator in complying or failing to comply with the Electronic Commerce Act or these Rules; and
- (5) The risk of harm cause by the violation.

(d) Continuing Violations. After the receipt of notice of a violation, if any Certification Authority willfully continues to violate by action or inaction the Electronic Commerce Act or these Rules, each day or transaction the violation continues or is repeated may be considered a separate violation.

(e) Civil Sanction Notification. When the Electronic Commerce Section determines that a civil sanction shall be assessed, the Electronic Commerce Section shall notify the Certification Authority of the following information by electronic mail, if possible, and by any means permitted under Rule 4 of the North Carolina Rules of Civil Procedure:

- (1) The nature of the violation;
- (2) The civil sanction imposed;
- (3) That the civil sanction will become final unless within 15 days after receiving notice of the violation the Certification Authority either:
 - (A) takes exception to the civil sanction assessment by filing a contested case petition with the Office of Administrative Hearings; or
 - (B) submits a written request for the reduction of the sanction; and
- (4) The procedure for taking exception to the violation or seeking the reduction of the sanction.

(f) Civil Sanction Finality. The Certification Authority must file a contested case petition pursuant to G.S. 150B-23 or submit a written request for the reduction of the sanction within 15 days of receipt of the notice of the civil sanction assessment or the assessment shall become final. Notice shall be deemed received at the time of service by any method permitted under Rule 4 of the North Carolina Rules of Civil Procedure.

(g) Request for Reduction of Civil Sanction. A Certification Authority that admits a cited violation but wishes to seek reduction of the length of a suspension or amount of a civil monetary penalty may request reduction of the civil sanction.

- (1) Any request for reduction of a civil sanction shall be submitted to the Electronic Commerce Section in writing and must include a written statement supporting the reduction request. Requests for reduction of a sanction are solely for the purpose of allowing the Certification Authority to contest the reasonableness of the civil sanction arising under this Rule. The Certification Authority should not attempt to contest the existence of a violation or raise questions of law in the request for reduction of the sanction.
- (2) The Electronic Commerce Section shall determine if the assessed sanction is to be reduced pursuant to a reduction request and shall notify the Certification Authority of its decision in writing.

- (3) If the Electronic Commerce Section determines that the reduction request raises issues of fact or questions of law, the Electronic Commerce Section may decline to consider the reduction request, and shall notify the Certification Authority by certified or registered mail that it must file a contested case petition with the Office of Administrative Hearings in order to preserve its claim and legal rights. The Certification Authority must file a contested case petition with the Office of Administrative Hearings within 15 days of receipt of notice or the sanction assessed shall be final.
- (4) If the reduction request does not raise issues of fact or questions of law, the Electronic Commerce Section shall determine if the assessed sanction is to be reduced, and shall notify the Certification Authority of its decision in writing by electronic mail, if possible, and by any other means permitted under Rule 4 of the North Carolina Rules of Civil Procedure. In the event the Electronic Commerce Section denies the reduction request, or grants the reduction request in an amount unacceptable to the Certification Authority, the Certification Authority must file a contested case petition with the Office of Administrative Hearings within 15 days of receipt of notice of the Electronic Commerce Section's decision, or the decision shall become the final decision. Notice shall be deemed received at the time of service by any method permitted under Rule 4 of the North Carolina Rules of Civil Procedure.

(h) Payment. Any civil monetary penalty shall be due within 60 days of the date of the initial assessment of the penalty, except that if the Certification Authority files a contested case petition pursuant to G.S. 150B-23 or submits a written request for reduction of the penalty, the penalty shall be due within 60 days of the date of the final decision. The penalty shall be paid with cash or certified funds by personal delivery or certified mail to the Electronic Commerce Section. In the event the Certification Authority fails to pay the penalty assessed within the time periods set forth in this Rule, the Electronic Commerce Section may collect the amount of the penalty from the bond required by these Rules.

History Note: Authority G.S. 66-58.6; 66-58.10; Temporary Adoption Eff. February 23, 1999; Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule; Temporary Adoption Eff. December 3, 1999.

.0802 CRIMINAL PENALTIES AND INJUNCTIVE RELIEF

The Department of the Secretary of State has the authority to investigate, prosecute and otherwise pursue criminal penalties for violations of the Electronic Commerce Act, pursuant to G.S. 66-58.8, or injunctive relief pursuant to G.S. 66-58.6.

History Note: Authority G.S. 66-58.6; 66-58.8; 66-58.10;

Temporary Adoption Eff. February 23, 1999; Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule; Temporary Adoption Eff. December 3, 1999.

SECTION .0900 - RECIPROCITY

.0901 RECIPROCAL AGREEMENTS AND LICENSURE BY RECIPROCITY

(a) The Electronic Commerce Section may enter into reciprocal licensing agreements with other jurisdictions that have adopted electronic commerce laws similar in nature and intent to the Electronic Commerce Act.

(b) Certification Authorities licensed by other jurisdictions may request North Carolina licensure by the North Carolina Electronic Commerce Section. The applicant must be currently licensed in good standing with another jurisdiction.

(c) To seek reciprocal licensure in North Carolina, Certification Authorities licensed by other jurisdictions shall do the following:

- (1) Pay the licensing fee as described in these Rules;
- (2) Provide the Electronic Commerce Section with evidence of licensure in good standing from the other licensing jurisdiction;
- (3) Provide the Electronic Commerce Section with a complete copy of the licensing application that led to the Certification Authority becoming licensed in the other jurisdiction, including any amendments thereto;
- (4) Provide full disclosure of any former, current or proposed disciplinary action or criminal proceeding arising from or related to the Certification Authority's license or activities as a Certification Authority;
- (5) Provide a complete history of licensure in all other jurisdictions, whether continuous or disrupted, and if disrupted the length of the disruption and basis therefore; and
- (6) Provide any additional information as required by the Electronic Commerce Section.

(d) The Electronic Commerce Section shall have the power to impose civil sanctions against a reciprocal licensee on the same basis that the Electronic Commerce Section can impose civil sanction against a Certification Authority license otherwise issued, or upon finding that the Certification Authority has had a license revoked or suspended in another jurisdiction.

(e) Any Certification Authority that obtains a reciprocal license under these Rules shall be obligated to inform the Electronic Commerce Section in writing of any civil or criminal proceeding that arises from or relates to the Certification Authority's license or any disciplinary action commenced against the Certification Authority in any other jurisdiction within ten days of notice of the proceeding or action.

History Note: Authority G.S. 66-58.3; 66-58.6; 66-58.7; 66-58.8; 66-58.10; 66-58.11; Temporary Adoption Eff. February 23, 1999;

*Codifier determined on November 23, 1999, that agency findings did not meet criteria for temporary rule;
Temporary Adoption Eff. December 3, 1999.*

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 21 - BOARD OF GEOLOGISTS

Rule-making Agency: *NC Board for Licensing of Geologists*

Rule Citation: *21 NCAC 21 .0501-.0502, .0514-.0515, .1101-.1102*

Effective Date for Temporary Rules: *November 24, 1999*

Findings Reviewed and Approved by: *Julian Mann, III*

A Public Hearing *will be conducted at 10:00 a.m. on January 5, 2000 at 3733 Benson Drive, Raleigh, NC.*

Notice of Rule-making Proceedings *was published in the Register on September 1, 1999.*

Authority for the rule-making: *G.S. 89E-2, 4, 5, 16, 17, 19, 20*

Proposed Effective Date for Permanent Rules: *August 1, 2000*

Reason for Proposed Action: *To adopt and amend rules to fully implement the provisions of a recent act of the General Assembly, Session Law 1999-355, revising the procedure used by the Board to assess complaints and investigations and authorizing the board to assess civil penalties.*

Comment Procedures: *All interested parties are invited to attend the public hearing. Written comments will be received through January 14, 2000 and should be directed to Robert M. Upton, Board Administrator, NC Board for Licensing of Geologists, PO Box 41225, Raleigh, NC 27629-1225.*

Fiscal Impact

State	Local	Sub. None
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SECTION .0500 - DISCIPLINARY ACTION AND PROCEDURE

.0501 FILING OF CHARGES

Any person may file with the Board a charge of negligence, incompetence, dishonest practice, or other misconduct or of any violation of G.S. 89E or of these Rules. Upon receipt of such charge or upon its own initiative, the Board may give notice of an administrative hearing under the Administrative Procedure Act, suspend or revoke the license or certificate of registration,

may impose a civil penalty not in excess of five thousand dollars (\$5,000), may issue a reprimand or caution as provided in Rules .0502 and .0504 of this Section or may upon a statement of the reasons therefore dismiss the charge as unfounded or trivial, which statement shall be mailed to the geologist and the person who filed the charge by registered or certified mail.

*History Note: Authority G.S. 89E-5; 89E-17;
Eff. February 1, 1986;*

Amended Eff. April 1, 1989;

Temporary Amendment Eff. November 24, 1999.

.0502 REPRIMAND

If probable cause is found, but it is determined that a disciplinary hearing is not warranted, the Board may issue a private reprimand to the accused party. A record of such private reprimand shall be mailed to the accused party and within 15 days after receipt of the reprimand the accused party may refuse the private reprimand and request that a Notice of Hearing be issued held pursuant to G.S. 150B. Such refusal and request shall be addressed to the Board and filed with the secretary-treasurer of the Board. The legal counsel for the Board shall thereafter prepare and file a Notice of Hearing. If the letter of reprimand is accepted, a record copy of the reprimand shall be maintained in the office of the Board.

*History Note: Authority G.S. 89E-5; 89E-19;
Eff. February 1, 1986;*

Amended Eff. April 1, 1989;

Temporary Amendment Eff. November 24, 1999.

.0514 INVESTIGATION

(a) Valid complaints received by the Board shall be forwarded to an investigator for further inquiry as to whether the acts or omissions alleged violate the provisions of G.S. 89E, the Board's code of professional conduct, or any other rules of this Chapter. The Board's executive director shall notify the licensee or corporate registrant of the complaint and advise the licensee or corporate registrant that:

(1) He has a duty to cooperate fully with the investigation by the Board; and

(2) He may submit a written response to the complaint.

(b) The investigator shall collect all information needed to determine whether a violation has occurred and the nature and severity of the violation. Information gathered during the course of an investigation shall be treated as confidential information in accordance with G.S. 89E-18(c) until the Board takes disciplinary action against the licensee or corporate registrant.

(c) After collecting information relevant to the complaint, the investigator will submit a report consisting of the complaint, information gathered in the course of investigation, and the investigator's conclusion to a peer review committee for evaluation. The peer review committee will consist of at least two professional geologists, each of whom hold a currently valid license issued by the Board.

(d) The investigation report (including, but not limited to, the supporting information relevant to the complaint) and the written

evaluation of the peer review committee shall be submitted to the Executive Director of the Board to be combined with the licensee's written response to the complaint, if any, for further proceedings in accordance with Rule .0515 of this Section.

*History Note: Authority G.S. 89E-5; 89E-17;
Temporary Adoption Eff. November 24, 1999.*

.0515 DISCIPLINARY PROCEDURE

(a) Upon receipt of an investigation report and evaluation from the Board's investigator and peer review committee in accordance with Rule .0514 of this Section, the Board's Executive Director shall forward to the Chairman of the Board (or to a member of the Board designated by the Chairman) the investigation report, evaluation, and the supporting documentation along with the licensee's or registrant's written response to the complaint, if any.

(b) The Chairman (or a member of the Board designated by the Chairman) is delegated authority to propose the disciplinary action for the violation(s) revealed by the investigation consistent with the provisions of G.S. 89E-19. The Chairman (or a member of the Board designated by the Chairman) is also delegated authority to issue a summary suspension pursuant to G.S. 150B-3(c).

(c) After review of the investigation report, evaluation, and supporting documentation, the Chairman shall notify the licensee or corporate registrant of the proposed disciplinary action by certified mail sent to the last known address of the licensee or corporate registrant as indicated by the Board's official roster. This notification shall contain a summary of the alleged facts or conduct upon which the proposed disciplinary action is based, the effective date of the proposed disciplinary action, and an explanation of the licensee's hearing rights pursuant to G.S. 150B, Article 3A. Notification for summary suspensions shall meet the requirements of G.S. 150B-3(c).

(d) The licensee or corporate registrant has 15 days from receipt of notification of proposed disciplinary action to file with the Board a written request for hearing. If the licensee or corporate registrant does not file a written request for hearing with the Board, the Board shall receive the Chairman's recommendation on disciplinary action at its next meeting. If a majority of the Board members agree with the Chairman's recommendation, the proposed disciplinary action becomes a final agency decision. If a majority of the Board members do not agree with the Chairman's recommendation, the Board shall make a review of the facts (limited to the investigator's report without supporting documentation) solely for the purpose of determining whether probable cause exists to support the allegations of violation of law and for the purpose of proposing an appropriate disciplinary action. The Chairman shall not participate in the deliberations or the voting with regard to either his recommendation or the Board's decision regarding a substitute disciplinary action. A new notice of proposed disciplinary action will be sent to the licensee or corporate registrant, if necessary, in accordance with the procedure set out in Paragraph (c) of this Rule, and the licensee or corporate registrant has 15 days from receipt of the new notice of proposed

disciplinary action to file with the Board a written request for a hearing.

(e) The licensee or corporate registrant may request a settlement conference; however, neither the request for settlement conference nor the Board's agreement to enter into settlement negotiations will extend the 15-day deadline for requesting an opportunity for a hearing or any other deadlines in the hearing process. The Chairman (or a member of the Board designated by the Chairman) is delegated authority to negotiate a settlement; however, the settlement agreement must be approved by a majority of the members of the Board before the proposed disciplinary action will be rescinded.

(f) Upon receipt of written request for hearing, the Board may conduct an administrative hearing as authorized by G.S. 150B-38 or the Board may request the Office of Administrative Hearings to conduct the hearing as authorized by G.S. 150B-40. Hearings shall be conducted in accordance with the rules of this Chapter.

(g) A majority of the members of the Board will render the final agency decision, in accordance with G.S. 150B-42, after a hearing on the proposed disciplinary action. The Chairman, or if applicable the designated member, who proposed the disciplinary action after a full review of the facts available to the investigator and peer review committee will not participate in the discussion of the contested case and will not vote on the final decision for disciplinary action. Nothing in this Rule shall prevent members of the Board from participating in the discussion and vote on a final agency decision with regard to proposed disciplinary action if they have reviewed the investigator's report without supporting documentation solely for the purpose of determining whether probable cause existed to support the allegations of violation and for the purpose of proposing an appropriate disciplinary action.

*History Note: Authority G.S. 89E-5, 89E-19, 89E-20, 150B-3, 150B-38 through 150B-42;
Temporary Adoption Eff. November 24, 1999.*

SECTION .1100 - PROFESSIONAL CONDUCT

.1101 RULES OF PROFESSIONAL CONDUCT

(a) In order to safeguard the life, health, property and welfare of the public and to establish and maintain a high standard of integrity, skills, and practice in the profession of geology, these rules of professional conduct shall be binding upon every person holding a certificate of license as a geologist, and on all partnerships or corporations or other legal entities authorized to offer or perform geologic services in this state. All persons licensed or registered under the provisions of G.S. 89E are charged with having knowledge of the existence of these Rules of professional conduct.

(b) The geologist shall conduct his practice in order to protect the public health, safety, and welfare.

(1) The geologist shall at all times recognize his primary obligation to protect the safety, health, and welfare of the public in the performance of his professional duties. If his geologic judgment is overruled under

circumstances where the safety, health and/or welfare of the public are endangered, he shall inform his employer of the possible consequences and notify other proper authority of the situation, as may be appropriate.

- (2) The geologist shall protect the public health, safety, and welfare by maintaining sufficient personal on-site involvement and continual direction and review of the activities of subordinates that constitute public practice of geology while such activities are in progress. The licensee must provide such supervision and have sufficient knowledge of the project and site conditions necessary to assure accuracy and compliance with all applicable laws and regulations (including, but not limited to, G.S. 89E and the rules of this Chapter).

(c) The geologist shall perform his services only in areas of his competence:

- (1) The geologist shall undertake to perform geologic assignments only when qualified by education or experience in the specific technical field of geology involved.
- (2) The geologist may accept an assignment requiring education or experience outside of his own field of competence, but only to the extent that his services are restricted to those phases of the project in which he is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees.
- (3) The geologist shall not affix his signature and/or seal to any document dealing with subject matter for which he lacks competence by virtue of education or experience or to any such plan or document not prepared under his direct supervisory control, except that the geologist may affix his seal and signature to drawings and documents depicting the work of two or more professionals provided he designates by note under his seal the specific subject matter for which he is responsible.

(d) The geologist shall issue public statements only in an objective and truthful manner:

- (1) The geologist shall be completely objective and truthful in all professional reports, statements, or testimony. He shall include all relevant and pertinent information in such reports, statements or testimony.
- (2) The geologist when serving as an expert or technical witness before any court, commission, or other tribunal shall express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his testimony.
- (3) The geologist will issue no statements, criticisms, or arguments on geologic matters connected with public policy which are inspired or paid for by an interested party or parties unless he has prefaced his comments by explicitly identifying himself, by disclosing the

identities of the party or parties on whose behalf he is speaking, and by revealing the existence of any pecuniary interest he may have in the instant matters.

- (4) The geologist shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of another geologist, nor shall he indiscriminately criticize another geologist's work in public. If he believes that another geologist is guilty of misconduct or illegal practice, he shall present such information to the proper authority for action.

(e) The geologist shall not attempt to supplant another geologist in a particular employment after becoming aware that the other has been selected for the employment.

(f) The geologist shall avoid conflicts of interest:

- (1) The geologist shall conscientiously avoid conflicts of interest with his employer or client, but when unavoidable, the geologist shall forthwith disclose the circumstances to his employer or client.
- (2) The geologist shall avoid all known conflicts of interest with his employer or client, and shall promptly inform his employer or client of any business association, interest, or circumstances which could influence his judgment or the quality of his services.
- (3) The geologist shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to, by all those parties.
- (4) The geologist shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.
- (5) The geologist shall not solicit or accept substantial gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with his client or employer in connection with work for which he is responsible.
- (6) When in public service as a member, advisor, or employee of a governmental body or department, the geologist shall not participate in considerations or actions with respect to services provided by him or his organization in private geological practices.
- (7) The geologist shall not solicit or accept a geologic contract from a governmental body on which a principal or officer of his business serves as a member.

(g) The geologist shall solicit or accept work only on the basis of his qualifications:

- (1) The geologist shall not offer to pay, either directly or indirectly, any commission, political contribution, gift, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.
- (2) The geologist shall compete for professional employment on the basis of qualification and competence for proper accomplishment of the work.

He shall not solicit or submit proposals for professional services containing a false, fraudulent, misleading, deceptive, or unfair statement or claim regarding the cost, quality or extent of services to be rendered.

- (3) The geologist shall not falsify or permit misrepresentation of his, or his associates', academic or professional qualifications. He shall not misrepresent or exaggerate his degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, joint ventures, or his or their past accomplishments with the intent and purpose of enhancing his qualifications and those of his work associates.

(h) The geologist shall associate only with reputable persons or organizations:

- (1) The geologist shall not knowingly associate with or permit the use of his name or firm name in a business venture by any person or firm which he knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

- (2) If the geologist has knowledge or reason to believe that another person or firm may be in violation of any of these provisions or of the North Carolina Geologist Licensing Act, he shall present such information to the Board and furnish such further information or assistance as may be required by the Board.

- (i) Conviction of a felony without restoration of civil rights,

or the revocation or suspension of the license of a geologist by another jurisdiction, if for a cause which in the State of North Carolina would constitute a violation of G.S. 89E or of these Rules, shall be grounds for a charge of violation of these Rules and may result in the revocation of the certificate of licensure or corporate registration issued by this Board and/or the imposition of a civil penalty not to exceed five thousand dollars (\$5,000).

History Note: Authority G.S. 89E-5; 89E-16;

Temporary Adoption Eff. November 24, 1999.

.1102 RULES OF CONDUCT OF ADVERTISING

(a) The geologist shall not make exaggerated, misleading, deceptive or false statements or claims about his professional qualifications, experience or performance in his brochures, correspondence, listing, or other public communications.

(b) The prohibitions listed in this Rule include, but are not limited to, the use of statements containing a material misrepresentation of fact or omitting a material fact necessary to keep the statement from being misleading; statements intended or likely to create an unjustified expectation; statements containing prediction of future success; or statements containing an opinion as to the quality of services.

(c) Consistent with the foregoing, the geologist may advertise for recruitment of personnel.

(d) Consistent with the foregoing, the geologist may prepare articles for the lay or technical press. Such articles shall not imply credit to the author for work performed by others.

History Note: Authority G.S. 89E-5; 89E-16;

Temporary Adoption Eff. November 24, 1999.

RULES REVIEW COMMISSION

This Section contains the agenda for the next meeting of the Rules Review Commission on Wednesday, December 16, 1999, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Friday, December 10, 1999, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate

Teresa L. Smallwood, Vice Chairman
John Arrowood
Laura Devan
Jim Funderburke
David Twiddy

Appointed by House

Paul Powell, Chairman
Walter Futch
Jennie J. Hayman
George Robinson
R. Palmer Sugg

RULES REVIEW COMMISSION MEETING DATES

December 16, 1999
January 20, 2000
February 17, 2000

March 16, 2000
April 13, 2000

LOG OF FILINGS

RULES SUBMITTED: OCTOBER 20, 1999 THROUGH NOVEMBER 20, 1999

AGENCY/DIVISION	RULE NAME	RULE CITATION	ACTION
DEPARTMENT OF COMMERCE/CAPE FEAR RIVER NAVIGATION AND PILOTAGE COMMISSION			
	Number of Pilots	4 NCAC 15 .0119	Amend
	Annual Renewal of License	4 NCAC 15 .0120	Amend
	Apprenticeship	4 NCAC 15 .0121	Amend
DHHS/DIVISION OF FACILITY SERVICES			
	Location of Agency	10 NCAC 3R .0111	Amend
	Research Activity	10 NCAC 3R .0212	Amend
	Definitions	10 NCAC 3U .0102	Amend
	Scope	10 NCAC 3U .2501	Amend
	Special Provisions for Licensure	10 NCAC 3U .2502	Amend
	Staff Qualifications	10 NCAC 3U .2510	Amend
	Education Standards for a Rated License	10 NCAC 3U .2804	Amend
	Education Standards for Centers	10 NCAC 3U .2811	Adopt
DHHS/DIVISION OF VOCATIONAL REHABILITATION SERVICES			
	Secretary's Review and Final Decision	10 NCAC 20B .0224	Amend
	Civil Action	10 NCAC 20B .0228	Amend
DENR			
	Purpose	15 NCAC 1J .0101	Amend
	Definitions	15 NCAC 1J .0102	Amend
	Grants from the High-Unit Cost Accounts	15 NCAC 1J .0202	Amend
	Filing of Required Supplemental Information	15 NCAC 1J .0303	Amend
	Criteria for Planning and Water Conservation	15 NCAC 1J .0402	Amend
	Applicable Conditions	15 NCAC 1J .0502	Amend
	Fiscal Responsibility of the Applicant	15 NCAC 1J .0504	Amend
	Public Need	15 NCAC 1J .0601	Amend
	Fiscal Responsibility of the Applicant	15 NCAC 1J .0604	Amend
	Public Necessity: Health: Safety	15 NCAC 1J .0701	Amend

Financial Considerations	15 NCAC 1J .0703	Amend
Assignment of Category to Wastewater Applications	15 NCAC 1J .0803	Amend
Criteria for Loan Adjustments	15 NCAC 1J .0903	Amend
Disbursement of Loans and Grants	15 NCAC 1J .0904	Amend
Purpose	15 NCAC 1L .0101	Amend
Definitions	15 NCAC 1L .0102	Amend
Limitation of Loans	15 NCAC 1L .0203	Repeal
Filing of Required Supplemental Information	15 NCAC 1L .0303	Amend
Applicable Conditions	15 NCAC 1L .0501	Amend
Fiscal Responsibility of the Applicant	15 NCAC 1L .0503	Amend
Public Need	15 NCAC 1L .0601	Amend
Fiscal Responsibility of the Applicant	15 NCAC 1L .0604	Amend
Public Necessity	15 NCAC 1L .0701	Amend
Planning and Water Conservation	15 NCAC 1L .0801	Amend
Assignment of Category to Wastewater Applications	15 NCAC 1L .0902	Amend
Criteria for Loan Adjustments	15 NCAC 1L .1003	Amend
Disbursement of Loans	15 NCAC 1L .1004	Amend

DENR/MARINE FISHERIES COMMISSION

Identification Information	15 NCAC 3H .0101	Repeal
Proclamation Authority	15 NCAC 3H .0103	Amend
Definitions	15 NCAC 3I .0101	Amend
Leaving Devices Unattended	15 NCAC 3I .0105	Amend
Scientific, Educational, or Official Collecting	15 NCAC 3I .0106	Amend
Recordkeeping Requirements	15 NCAC 3I .0114	Amend
Possession or Transportation	15 NCAC 3I .0120	Adopt
Trawl Nets	15 NCAC 3J .0104	Amend
Seines	15 NCAC 3J .0110	Adopt
Pots	15 NCAC 3J .0301	Amend
Recreational Use of Pots	15 NCAC 3J .0302	Amend
Trotlines (Multiple Hook or Multiple Bait)	15 NCAC 3J .0305	Adopt
Prohibited Shellfish	15 NCAC 3K .0101	Amend
Harvest of Crabs and Shellfish	15 NCAC 3K .0105	Amend
Taking or Unloading Oysters	15 NCAC 3K .0106	Amend
Size Limit and Culling Tolerance	15 NCAC 3K .0202	Amend
Taking Bay Scallops at Night	15 NCAC 3K .0502	Amend
Size Limit and Culling Tolerance	15 NCAC 3L .0201	Amend
Peeler Crabs	15 NCAC 3L .0206	Adopt
Season, Size and Harvest Limit	15 NCAC 3M .0202	Amend
Flounder	15 NCAC 3M .0503	Amend
Trout	15 NCAC 3M .0504	Amend
Billfish	15 NCAC 3M .0507	Amend
Bluefish	15 NCAC 3M .0511	Amend
Cobia	15 NCAC 3M .0516	Adopt
Procedure and Requirements	15 NCAC 3O .0101	Amend
Recreational Fishing Tournament License	15 NCAC 3O .0102	Amend
Auxiliary Vessels	15 NCAC 3O .0103	Amend
Commercial Unloading of Fish	15 NCAC 3O .0104	Amend
Bait Dealers	15 NCAC 3O .0105	Amend
Display of Licenses and Registrations	15 NCAC 3O .0106	Amend
Lost License Replacement	15 NCAC 3O .0107	Amend
License Transfers	15 NCAC 3O .0108	Amend
Assignment of SCFL	15 NCAC 3O .0109	Amend
License Refunds	15 NCAC 3O .0110	Amend
Surrender of Licenses	15 NCAC 3O .0111	Adopt
Standards for Shellfish Bottom	15 NCAC 3O .0201	Amend
Eligibility for Recreational Commercial Gear Lic.	15 NCAC 3O .0301	Amend
Authorized Gear	15 NCAC 3O .0302	Amend

RULES REVIEW COMMISSION

Recreational Commercial Gear License	15 NCAC 3O .0303	Amend
Consideration of Appeal Petitions	15 NCAC 3O .0304	Repeal
Emergency Licenses	15 NCAC 3O .0305	Repeal
Hardship Licenses	15 NCAC 3O .0306	Repeal
Appeals Panel Final Decision	15 NCAC 3O .0307	Repeal
Official Record	15 NCAC 3O .0308	Repeal
Reasons for Revocation	15 NCAC 3O .0309	Repeal
Temporary Emergency Vessel Crab Licenses	15 NCAC 3O .0310	Repeal
Eligibility Board	15 NCAC 3O .0401	Adopt
Application Process	15 NCAC 3O .0402	Adopt
Eligibility Board Review	15 NCAC 3O .0403	Adopt
Eligibility Criteria	15 NCAC 3O .0404	Adopt
Application Documentation	15 NCAC 3O .0405	Adopt
Standard Commercial Fishing License	15 NCAC 3O .0406	Adopt
DENR/COASTAL RESOURCES COMMISSION		
AECs	15 NCAC 7H .0201	Adopt
Management Objective	15 NCAC 7H .0203	Adopt
Coastal Shorelines	15 NCAC 7H .0209	Adopt
Purpose	15 NCAC 7H .1301	Adopt
Purpose	15 NCAC 7H .1601	Adopt
Purpose	15 NCAC 7H .1901	Adopt
Purpose	15 NCAC 7H .2301	Adopt
Private Bulkheads	15 NCAC 7K .0203	Adopt
Exemption	15 NCAC 7K .0209	Adopt
DENR/COMMISSION FOR HEALTH SERVICES		
Applicability	15 NCAC 18C .0301	Amend
Submittals	15 NCAC 18C .0302	Amend
Submissions Required by Engineer	15 NCAC 18C .0303	Amend
Application for Approval	15 NCAC 18C .0304	Amend
Approvals Necessary Before Contracting	15 NCAC 18C .0305	Amend
Changes in Engineering Plans	15 NCAC 18C .0306	Amend
Engineer's Water System Plan	15 NCAC 18C .0307	Amend
Engineering Plans and Specifications	15 NCAC 18C .0308	Amend
Final Approval	15 NCAC 18C .0309	Amend
Water System Operation and Maintenance	15 NCAC 18C .1304	Amend
STATE BOARDS/N C BOARD OF PHARMACY		
Automated Dispensing or Drug Supply Devices	21 NCAC 46 .1814	Amend
Procedures for Centralized Processing	21 NCAC 46 .1816	Adopt
N C HOUSING FINANCE AGENCY		
Persons and Families of Moderate Income	24 NCAC 1H .0103	Amend

RULES REVIEW COMMISSION**November 17, 1999
MINUTES**

The Rules Review Commission met on November 17, 1999, in Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. The meeting was convened in the Veterinary Board meeting room after a public announcement to those gathered for the meeting. After a closed session the meeting continued in the Assembly Room. Commissioners in attendance were Vice Chairman Teresa Smallwood, Jennie J. Hayman, Walter Futch, Palmer Sugg, John Arrowood, Laura Devan, David R. Twiddy, and George Robinson.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; and Sandy Webster.

The following people attended:

Harry Wilson	State Board of Education
Dedra Alston	DENR
Mary Beth Johnston	Womble Carlyle
Mary Shuping	Legislative Research
Marge Howell	Labor
Tom West	Poyner and Spruill
Leslie Bevacqua	N C Citizens for Business & Industry
Butch Gunnells	N C Soft Drink Association
Shirley Bullard	DHHS/CHS
Daniel Garner	Banking Commission
Thomas Allen	DENR/DAQ
Noah Huffstetler	Kilpatrick Stockton
Jackie Herbster	Kilpatrick Stockton
Ted Edwards	Kilpatrick Stockton
Tim Devinney	Glaxo-Wellcome
Frank Crawley	Attorney General
Henry Jones	Jordan, Price
Patricia Purser	DHHS/DSB
Denise Stanford	Board of Pharmacy
Delores Joyner	OSP/State Personnel Commission
James A. Wellons	DHHS/DFS
Mary Ann Olsen	Psychology Board
Howard Kramer	Board of Nursing
Lee Hoffman	DHHS/DFS
Bob Fitzgerald	DHHS/DFS
Jackie Sheppard	DHHS/DFS

APPROVAL OF MINUTES

The meeting was called to order at 10:01 a.m. with Vice Chairman Smallwood presiding. She requested that a motion be made to go into closed session to consider communications from its attorneys concerning the Pharmacy Board lawsuit. The motion was made. The Commission reconvened at 10:18 and she asked for any discussion, comments, or corrections concerning the minutes of the September 30, 1999 meeting. There being none, the minutes were approved.

COMMISSION BUSINESS

The Commission elected officers as follow: Theresa Smallwood was elected Chairman, Palmer Sugg was elected First Vice Chairman, and Jennie J. Hayman was elected Second Vice Chairman.

FOLLOW-UP MATTERS

12 NCAC 10B .0103, .0502, and .0601: JUSTICE/Sheriffs' Education & Training Standards – The Commission approved the rewritten rules submitted by the agency.

13 NCAC 7F .0601, .0602, .0603, .0604, .0605, and .0606: DEPARTMENT OF LABOR – Commissioner Payne requested that these rules be postponed until the December meeting. No action was taken on these rules.

15A NCAC 16A .1104 – DHHS/Commission for Health Services – At the request of the agency no action was taken on this rule.

16 NCAC 6D .0503 and .0504: STATE BOARD OF EDUCATION – The rewritten rules submitted by the agency were approved by the Commission.

16 NCAC 6H .0110: STATE BOARD OF EDUCATION – The rewritten rule submitted by the agency was approved by the Commission.

21 NCAC 20 .0120: N C BOARD OF REGISTRATION FOR FORESTERS – The rewritten rule submitted by the agency was approved by the Commission.

25 NCAC 1B .0437: STATE PERSONNEL COMMISSION – The rewritten rule submitted by the agency was approved by the Commission.

25 NCAC 1H .0605 and .0606: STATE PERSONNEL COMMISSION – The rewritten rules submitted by the agency were approved by the Commission.

LOG OF FILINGS

Chairman Smallwood presided over the review of the log and all rules were approved with the following exceptions:

2 NCAC 52B .0207: AGRICULTURE/Board of Agriculture – The Commission objected to this rule due to ambiguity. In (a), (c), and (d), it is not clear what is meant by an "accredited" veterinarian. G.S. 106-318 refers to "duly licensed in the state of origin." It is not clear that this is the same. It is also not clear what standards the State Veterinarian is to use to determine if other forms of animal identification are acceptable in (a). In (b), it is not clear who must approve, or what the standards for approval are, for a pseudorabies serological test. In (d), it is not clear what proof of pseudorabies status is acceptable to the State Veterinarian. It is also not clear who must approve or what the standards for approval of a veterinarian are. In (e) it is not clear what standards the State Veterinarian is to use in approving slaughtering establishments.

2 NCAC 52B .0302: AGRICULTURE/Board of Agriculture – The Commission objected to this rule due to ambiguity. In (a)(7), it is not clear what standards the State Veterinarian is to use in requiring buyers of feeder heifers to sign a statement of intent.

2 NCAC 52E .0209: AGRICULTURE/Board of Agriculture – The Commission objected to this rule due to lack of statutory authority and ambiguity. In (a) and (b), it is not clear who must approve or what are the standards for approval of a veterinarian. There is no cited authority for the Board of Agriculture to approve veterinarians. In (a), it is not clear what the standards for approval of ear tags and tattoos are, or what other identification means will be approved in (a) and (b). It is not clear what standards the Commissioner is to use to raise the test age for cattle. Absent specific standards, it must be done through the rulemaking process.

4 NCAC 3L .0701: COMMERCE/Banking Commission – The Commission objected to this rule due to lack of statutory authority and necessity. G.S. 53-284 sets out the grounds upon which the Commissioner may suspend or revoke a license. If the grounds are not listed in that statute, he may not take such action. If it is listed, then it does not need to be in the rule. Commissioner Arrowood recused himself from the Banking Commission rules.

10 NCAC 3R .6234: DHHS/Division of Facility Services – The Commission objected to this rule due to ambiguity. In (a)(1)(A), it is not clear what is meant by a "suitable" structure. In (a)(2), it is not clear what is meant by "Financial consideration...shall be equitable..." Commissioner Hayman recused herself from Rules .1615, .1713, and .1715.

10 NCAC 3S .1101: DHHS/Division of Facility Services – The Commission objected to this rule due to lack of statutory authority. The definition of the terms, "dietician or nutritionist," "mental health professional," and "registered nurse" are without authority because of the way they are used in .1301. The definitions set occupational requirements by defining the terms as licensed individuals. If the functions required in .1301 can be performed by unlicensed individuals, the department has no authority to require licenses. If licenses are required, then it is up to the licensing board, not the department to enforce.

10 NCAC 3S .1203: DHHS/Division of Facility Services – The Commission objected to this rule due to ambiguity. It is not clear what accrediting bodies are recognized by the Department or conversely what standards the Department will use in recognizing them.

10 NCAC 3S .1207: DHHS/Division of Facility Services – The Commission objected to this rule due to lack of necessity. The rule merely repeats the contents of G.S. 131E-168(b) and is thus unnecessary.

10 NCAC 3S .1301: DHHS/Division of Facility Services – The Commission objected to this rule due to lack of statutory authority and ambiguity. The second sentence in (a) says that the team shall perform "the following functions,," but no functions are then listed. It is not clear what functions are meant. There is no authority cited for the department to set occupational requirements as the rule does in (b)(1), (3), (4), (5), and (6). Items (1) and (4) specifically set out the requirements in this rule while the definition of the terms in .1101 sets out the requirements in the other items. While the department can set out what functions must be performed, it is not given authority to tell who can perform them. In (b)(1), it is not clear what is meant by "appropriate subject matter."

10 NCAC 3S .1601: DHHS/Division of Facility Services – The Commission objected to this rule due to ambiguity. In (e)(2), it is not clear what is an "acceptable alternative" for measuring eating patterns.

10 NCAC 3S .1802: DHHS/Division of Facility Services – The Commission objected to this rule due to ambiguity. In (g), it is not clear if "better diabetic control" means any improvement is acceptable.

10 NCAC 3S .2001: DHHS/Division of Facility Services – The Commission objected to this rule due to ambiguity. G.S. 1-15 and 1-17 do not contain provisions for the retention and disposition of records, therefore (5) is unclear.

15A NCAC 2D .0541: DENR/Environmental Management Commission – The Commission objected to this rule due to lack of statutory authority. The first sentence of (f) is probably true. However, there is no authority cited for this agency to make any rules regarding the legal obligations of or consequences to a party for complying or failing to comply with other laws. Likewise the second sentence of (f) purports to set legal standards or conclusions. There is no authority cited for the agency to make rules specifying what does or does not constitute a legal defense.

15A NCAC 2D .1801: DENR/Environmental Management Commission – The Commission objected to this rule due ambiguity. It is unclear in (7) what is meant by "to increase the steady state live weight that can be housed at that animal operation."

15A NCAC 2D .1802: DENR/Environmental Management Commission – The Commission objected to this rule due ambiguity. In (e)(1), lines 30 and subsequently, it is unclear where the determination is made "at" the neighboring occupied property. Is it "at" the boundary, the location of the facility, or some other place?

15A NCAC 31 .0117: DENR/Marine Fisheries Commission – The Commission extended the period of review on this rule in order to determine if the rule is needed to administer the program.

21 NCAC 1 .0101: N C Acupuncture Licensing Board – The Commission objected to this rule due to lack of statutory authority. There is no authority to license those who do not meet the qualifications set out in the statute. The Board acknowledges in its reason for proposed action that this is the purpose of the rule, to license "those who do not meet...qualifications." In effect this may be an attempt to be a license by comity and there is no authority to grant such licensure.

COMMISSION PROCEDURES AND OTHER MATTERS

An application for contingency funds to pay the attorneys is pending. It has been approved by the Joint Governmental Operations Committee and now awaits action by the Council of State at its December 7 meeting. The attorneys make \$200 per hour. Staff was instructed to inform the attorneys that their presence at the Commission meeting is not necessary.

The next meeting will be on Thursday, December 16, 1999.

The meeting adjourned at 12:40 p.m.

Respectfully submitted,
Sandy Webster

This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Sammie Chess Jr.
Beecher R. Gray
Melissa Owens

Meg Scott Phipps
Robert Roosevelt Reilly Jr.
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
ADMINISTRATION				
Britthaven, Inc. v. Department of Administration and Priva-Trends, Inc.	98 DOA 0811	Chess	06/10/99	
Laidlaw Transit Svcs, Inc. v. Katie G. Dorsett, Sec'y/Dept/Administration	99 DOA 0102	Morrison	06/11/99	14:02 NCR 115
OFFICE OF ADMINISTRATIVE HEARINGS				
Ted Murrell, Zarn, Inc. v. Office of Administrative Hearings	99 OAH 0665	Chess	07/14/99	
Samuel Lee Ferguson v. Office of Administrative Hearings	99 OAH 0718	Chess	07/16/99	
AGRICULTURE				
Archie McLean v. Department of Agriculture	98 DAG 1770	Reilly	07/12/99	14:04 NCR 349
ALCOHOLIC BEVERAGE CONTROL COMMISSION				
Alcoholic Beverage Control Commission v. Keyland, Inc., T/A Cloud 9	98 ABC 1099	Overby	01/17/99	
Alcoholic Beverage Control Commission v. Food Lion, Inc., Store #1351	98 ABC 1270	Gray	03/31/99	14:04 NCR 347
Alcoholic Beverage Control Commission v. Stop 1, Inc. T/A Stop 1 Grocery	98 ABC 1337	Phipps	09/29/99	
Alcoholic Beverage Control Commission v. George Steven Everett t/a Casino Snooks Place	98 ABC 1546	Reilly	10/19/99	
Alcoholic Beverage Control Commission v. Beech Mountain Resort, Inc.	99 ABC 0287	Reilly	08/11/99	
Alcoholic Bev. Control Comm. v. Partnership T/A Mermaid Rest. & Lge.	99 ABC 0367	Chess	09/17/99	
Alcoholic Beverage Control Commission v. Jaeson Nyung Kim	99 ABC 0407	Morrison	07/09/99	
Alcoholic Beverage Control Commission v. Lillian Sarah Clary	99 ABC 0615	Phipps	09/01/99	
Alcoholic Beverage Control Commission v. Vnus Enterprises, LLC, t/a Rendez Vous Club & City of Charlotte	99 ABC 0684	Morgan	10/15/99	
Alcoholic Beverage Control Commission v. Mohammad Salim Pirani	99 ABC 0780	Morrison	09/21/99	
Alcoholic Beverage Control Commission v. Creek Lounge, Inc. t/a Creek Lounge	99 ABC 0820	Morgan	10/13/99	
Delores Ann Holley v. Alcoholic Beverage Control Commission	99 ABC 0876	Gray	08/10/99	
Alcoholic Beverage Control Commission v. Partnership T/A Corrothers Community Center/Private Club	99 ABC 0986	Lassiter	11/03/99	
CRIME CONTROL AND PUBLIC SAFETY				
Ray Anthony Breeding v. Crime Control & Public Safety	93 CPS 0695	Gray	09/13/99	
John Ray Webb v. Crime Victims Compensation Commission	95 CPS 1353	Gray	09/13/99	
Sarene Franklin Holloway v. Crime Victims Compensation Comm.	97 CPS 1172	Chess	10/12/99	
Paul Richard Mull v. Crime Victims Compensation Commission	98 CPS 0342	Chess	07/26/99	
Coradene Mayhand v. Crime Victims Compensation Commission	98 CPS 0398	Chess	10/09/99	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Edna Carr v. Crime Victims Compensation Commission	98 CPS 0788	Chess	10/28/99	
Eric Charles Williams v. Crime Control & Public Safety, Div. of State Highway Patrol	98 CPS 1279	Chess	11/01/99	
Bobby Mills v. Crime Victims Compensation Commission	98 CPS 1412	Wade	08/06/99	
William Samuel McCraw v. Crime Victims Compensation Commission	98 CPS 1626	Morrison	06/09/99	
Anson D. Looney v. Crime Victims Compensation Commission	99 CPS 0096	Morrison	05/25/99	
Elvin Williams, Jr. v. Crime Victims Compensation Commission	99 CPS 0118	Owens	08/03/99	
Michael Anthony Powell v. Crime Victims Compensation Commission	99 CPS 0426	Reilly	08/03/99	
Mary Elizabeth Peoples Hogan v. Crime Victims Compensation Comm.	99 CPS 0504	Reilly	07/29/99	
Lemuel Ray Jenkins v. Crime Victims Compensation Commission	99 CPS 0521	Gray	09/08/99	
Annabell B. McCormick v. Crime Victims Compensation Commission	99 CPS 0564	Phipps	08/04/99	

ENVIRONMENT AND NATURAL RESOURCES

R.J. Reynolds Tobacco Co. v. Dept. of Environment & Natural Resources	98 EHR 1315	Wade	06/04/99	14:02 NCR 110
T. Farnell Shingleton v. Environment and Natural Resources	98 EHR 1600	Reilly	10/08/99	14:11 NCR 926
T. Farnell Shingleton v. Environment and Natural Resources	98 EHR 1601	Reilly	10/08/99	
Town of Maysville v. Environment and Natural Resources	99 EHR 0069	Owens	09/27/99	
Willie Setzer v. Department of Environment & Natural Resources	99 EHR 0166	Chess	06/28/99	
Charles H. Jordan v. Brunswick County Health Department	99 EHR 0201	Morrison	06/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0344 ⁹	Phipps	09/28/99	
Jerry Franks and John Schifano, et. al. v. Environment & Natural Resources and Wake County Board of Commissioners	99 EHR 0380 ⁹	Phipps	09/28/99	
James P. and Irene P. Wilson v. Cleveland Co. Health & Sanitary	99 EHR 0506	Lassiter	10/07/99	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep River Coalition, Inc. v. Department of Env. & Natural Resources	99 EHR 0560 ¹¹	Reilly	11/01/99	
Deep River Citizens' Coalition, American Canoe Assoc., Inc., and Deep River Coalition, Inc. v. City of Greensboro, Piedmont Triad Regional Water Authority	99 EHR 0613 ¹¹	Reilly	11/01/99	
Mazzella's Restaurant, Peter D. Mazzella v. Carteret County Env. Health	99 EHR 0692	Reilly	08/19/99	
Roadway Express v. Department of Environment and Natural Resources	99 EHR 0745	Morrison	07/27/99	
John W. Venable v. Department of Environment and Natural Resources	99 EHR 0773	Wade	10/13/99	
Shell Island Homeowners' Association v. DENR, Div. of Env. Health	99 EHR 0814	Owens	08/18/99	
Gail S. Barfield v. Department of Environment and Natural Resources	99 EHR 0840	Morrison	11/19/99	
Richard E. Day v. Division of Coastal Management	99 EHR 0921	Wade	11/02/99	
Ronald L. Walker, Sr., v. Environmental Health Ala County	99 EHR 1076	Morrison	10/18/99	
Clifford Myers v. Montgomery County Health Department	99 EHR 1106	Mann	11/03/99	
Deloris B. Wooten v. Pitt County Dept. of Environmental Health	99 EHR 1131	Wade	11/19/99	

Division of Air Quality

Neighbors Against The Cullasaja Asphalt Plant & Blue Ridge Env. Defense League, Inc. v. Dept of Env & Natural Resources and Rhodes Brothers Paving, Inc. and Carolina Asphalt Pavement Association	98 EHR 1735	Gray	09/30/99	14:10 NCR 900
Terrance W. Bache, Pres., Terhane Group, Inc. v. DENR, Div/Air Quality	98 EHR 1790	Mann	06/23/99	
XVIII Airborne Corps & Fort Bragg, Dept. of the Army, USA v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0283	Wade	08/11/99	
J.D. Owen v. Environment and Natural Resources, Div. of Air Quality	99 EHR 0642	Mann	08/10/99	

Environmental Management

Allen Raynor v. Environmental Management Commission	99 EHR 0127	Gray	07/27/99	
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Division of Land Resources

Buel B. Barker, Jr. and Hubbard Realty of Winston-Salem, a NC Corp., jointly and severally v. DENR, Div. of Land Resources	98 EHR 1457	Morrison	06/09/99	
T.B. Powell, Inc. v. DENR, Division of Land Resources	99 EHR 0632	Wade	10/04/99	
Ronald G. Smith v. DENR, Division of Land Resources	99 EHR 0799	Morrison	10/29/99	

Division of Marine Fisheries

Alton Chadwick v. Division of Marine Fisheries	99 EHR 0553	Reilly	08/19/99	
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Division of Water Quality

York Oil Company v. DENR, Division of Water Quality	97 EHR 1026	Phipps	07/26/99	14:04 NCR 343
J. Todd Yates and Teresa B. Yates v. DENR, Div. of Water Quality	98 EHR 1456	Wade	06/22/99	
N.G. Purvis Farms, Inc. v. DENR, Division of Water Quality	99 EHR 0696	Chess	08/27/99	

BOARD OF GEOLOGISTS

Andrew M. Raring, Ph.D v. Board for the Licensing of Geologists	99 BOG 0150	Mann	06/16/99	
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HEALTH AND HUMAN SERVICES

CONTESTED CASE DECISIONS

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Eardley "JR" Stephens v. St. Bd. of Nurse's Aides and Practitioners	98 DHR 0155	Phipps	08/25/99	
Ernest Clyde Absher and Dianna B. Absher v. Health & Human Resources	98 DHR 1622	Reilly	06/17/99	
Andrew Gainey v. Office of the Chief Medical Examiner	98 DHR 1761	Owens	05/12/99	14:01 NCR 69
J.P. Lynch v. Department of Health & Human Services	99 DHR 0111	Reilly	05/25/99	
Paul Walker, Thomas Walker & Mary Walker v. Mecklenburg Area Mental Health	99 DHR 0155	Morrison	08/19/99	
New Hope Living Centers, Eric D. Lewis v. Health & Human Services	99 DHR 0170	Owens	05/25/99	
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Lili Romaine Lee v. County of Johnston	99 OSP 0456	Morrison	06/02/99	
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Michelle Maloney Wilkins v. Department of Transportation	98 OSP 0836	Morrison	05/20/99	
Judy S. Grindstaff v. Department of Transportation	98 OSP 1028	Gray	09/30/99	
Charles W. McAdams v. Dept. of Transportation, Div/Motor Vehicles	99 OSP 0034	Mann	06/23/99	
Larry R. Lane v. Department of Transportation	99 OSP 0105	Mann	06/11/99	
Ronald Roberson v. Dept. of Transportation, Right-of-Way Branch	99 OSP 0142	Morrison	06/08/99	
Shelvia Davis v. Department of Transportation	99 OSP 0156	Owens	06/23/99	
Carmalita Daniels v. Department of Transportation	99 OSP 0264	Gray	08/20/99	
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Wanda Troxler v. A & T State University and Dr. Ray J. Davis	97 OSP 0819	Phipps	08/02/99	
Vivian Smith Hammiel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1268* ²	Phipps	07/06/99	
Vivian Smith Hammiel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1269* ²	Phipps	07/06/99	
Vivian Smith Hammiel, Ling-Chih C. Hsu and Joel A. Williams v. East Carolina University	97 OSP 1270* ²	Phipps	07/06/99	
Jackie S. Flowers v. East Carolina University	98 OSP 1618	Reilly	06/24/99	
James A. Benton v. University of North Carolina at Charlotte	99 OSP 0047	Wade	10/08/99	
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0517* ⁶	Reilly	08/27/99	
Anna Anita Huff v. Dr. Lonnie Sharpe/Dr. Reza Salami-Coll./Engineering	99 OSP 0599	Chess	07/16/99	
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0623* ⁶	Reilly	08/27/99	
Thomas Michael Chamberlin v. UNC @ Chapel Hill, Dept. of University Housing, Division of Student Affairs	99 OSP 0674* ⁴	Gray	08/16/99	
Halycon Tudie Blake v. University of North Carolina at Chapel Hill	99 OSP 0686	Gray	07/08/99	
Bridgette R. Booker v. Winston-Salem State University	99 OSP 0731	Chess	09/03/99	
Rex A. Coughenour v. University of North Carolina at Chapel Hill	99 OSP 0830* ⁶	Reilly	08/27/99	
Temperance T. Tobe v. North Carolina Central University	99 OSP 0865	Chess	08/24/99	
Harold Richardson v. University of North Carolina at Charlotte	99 OSP 1208	Wade	11/15/99	
DEPARTMENT OF TRANSPORTATION				
Peter Kay., Stern v. Department of Transportation	99 DOT 0668	Owens	07/29/99	
UNIVERSITY OF NORTH CAROLINA				
Stephanie A. Payne v. UNC Hospitals	99 UNC 0375	Morrison	06/21/99	
Barbara A. Russell v. UNC Hospitals	99 UNC 0540	Gray	08/11/99	
Robin Perkins Stephens v. UNC Hospitals	99 UNC 0563	Owens	07/21/99	

CONTESTED CASE DECISIONS

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Rita Jo Kincaid v. UNC Hospitals	99 UNC 0746* ⁵	Reilly	08/09/99	
Rita Jo Kincaid v. UNC Hospitals	99 UNC 0747* ⁵	Reilly	08/09/99	
Edna Heath v. UNC Hospitals	99 UNC 0943	Chess	10/15/99	

STATE OF NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
98 OSP 0914

COUNTY OF BLADEN

L. CLIFTON CARROLL,
Petitioner,

v.

NORTH CAROLINA DEPARTMENT OF NATURAL
RESOURCES, DIVISION OF PARKS AND RECREATION,
Respondent.

RECOMMENDED DECISION

The above entitled contested case was heard before Beecher R. Gray, administrative law judge, on July 30, 1999 in Fayetteville, North Carolina. By order entered August 18, 1999, the parties were granted an extension of time to file final written arguments and draft proposals until two weeks after receipt of transcripts. Petitioner and Respondent filed written arguments and draft proposals on October 6, 1999.

APPEARANCES

Petitioner: J. Michael McGuinness, Esq.

Respondent: Edwin L. Gavin, II, Assistant Attorney General
Jennifer May-Parker, Assistant Attorney General

ISSUE

Whether Respondent had just cause to demote Petitioner for willfully violating Respondent's policies and guidelines by using his State vehicle's blue lights and emergency lights and exceeding the posted speed limits for personal gain.

POST-HEARING MOTIONS

Petitioner's Motion to Admit Polygraph Evidence

Petitioner filed a post-hearing motion to admit polygraph evidence offered to show that Petitioner was truthful when he testified during the hearing that he did not use profanity with police officers from the Carolina Beach Police Department. Although Petitioner's discussion with a Carolina Beach Policeman was the triggering event for Petitioner's later discipline by Respondent, it is not an essential element of the principal reason for his demotion for willful violation of Respondent's guidelines and policies concerning use of emergency lights and speed restrictions. North Carolina does not recognize polygraph examinations as sufficiently trustworthy to be admitted, even when the parties stipulate to admissibility. State v. Grier, 307 N.C. 628, 300 S.E.2d 351 (1983). This motion is DENIED.

Petitioner's Motion to Strike Inadmissible Evidence and to Redact the Inadmissible Evidence from the Transcript

This Motion seeks to remove evidence adduced by counsel for Respondent during cross-examination of Petitioner. Since the DUI Petitioner was asked about is more than ten (10) years old, and the proponent did not give the adverse party notice of its intent to use this evidence, I find that Petitioner's motion should be, and the same hereby is, ALLOWED.

It is hereby ORDERED: All testimony and references to the 1984 incident about which Petitioner was questioned is removed from the record. The transcript of this contested case hearing is redacted to show that all such material is removed, particularly on pages 50-61, 118-119, and 120-122 of the transcript.

FINDINGS OF FACT

1. The parties received notice of hearing more than 15 days prior to the hearing and each stipulated on the record that notice was proper.
2. Petitioner Clifton Carroll presently is employed as a Park Ranger II with Respondent's Division of Parks and Recreation and is assigned to the Fort Fisher State Recreation Area. He has served with the Parks and Recreation

Division approximately 15 years. As of February 21, 1998, Petitioner was a Park Ranger III at Fort Fisher. He has not been subjected to prior disciplinary action by the Division.

3. Mr. Carroll's mother is the only remaining person in his nuclear family; as of February 21, 1998, she was 85 years old. She was residing at St. Joseph's of the Pines Rest Home in Southern Pines. Mr. Carroll's mother suffers from dementia and is a resident in the Alzheimer's Unit at the rest home. Around February 21, 1998, Mr. Carroll's mother began collapsing at the rest home. Approximately a week before February 21, 1998, Mr. Carroll was informed that his mother had signs of congestive heart failure.
4. As of February 21, 1998, Mr. Carroll had an intensely close relationship with his mother. She is the only remaining member of his immediate family. Mr. Carroll considered it as his obligation to take care of his mother.
5. On Saturday morning, February 21, 1998, Petitioner was on duty in his capacity as a park ranger at Fort Fisher. He was supervising a volunteer work project that day which consisted of the placement of a large number of Christmas trees into the sand dunes along the beach. Petitioner met with coworkers and approximately 60 volunteers at 08:00 a.m. to begin the distribution process.
6. At about 9:20 a.m., Petitioner received a telephone call on his cell phone from his wife, who informed him that someone from the rest home had just called to say that it was necessary to take his mother to the hospital emergency room for admission. His wife told him that his mother had collapsed and was unresponsive. Petitioner was told that his permission was needed to admit her to the hospital. Petitioner attempted to reach the rest home from his cell phone in the Division truck on the beach but was unable to make contact. Petitioner was about two miles down the beach from the road at this time.
7. Petitioner informed his staff and volunteers that he had a personal emergency which required that he leave. He gave instructions for completion of the work project and left the beach in the Division truck. On the way out of the area, he stopped and explained his situation to Jackie Cullipher, a coworker. Further along the beach toward the road, Petitioner encountered Andy Fairbanks, a part-time worker, and explained his personal situation to him.
8. After informing his volunteers and coworkers about his personal situation with his mother, Petitioner's intention was to drive to the Carolina Beach State Park Rangers' Office where his personal car was parked and to attempt to contact the rest home or to drive to Southern Pines to take of his mother's immediate needs.
9. From the Fort Fisher State Recreation Area, it is approximately six (6) miles to the Carolina Beach State Park Office. Petitioner traveled in a northerly direction on highway 421. After entering the city limits of Kure Beach, he observed a line of cars in his lane and he turned on his blue lights and emergency lights to help him clear this traffic. Petitioner did not turn on his headlights. The traffic did not seem to notice him so he continued to drive at 35 MPH. As he left the Kure Beach city limits, he exceeded the 35 MPH posted speed limit by driving 45 MPH.
10. Petitioner left Kure Beach on Dow Road, a more rural road with a speed limit of 55 MPH. Petitioner speeded up to 75 MPH while in the 55 MPH part of Dow Road at a point where he observed that there was no traffic or pedestrians and he had a good view of the road for a long distance ahead.
11. Arriving at the Carolina Beach State Park Office, Petitioner stopped hurriedly in front of the building, leaving skid marks approximately 2-3 feet in the sand where he stopped. Petitioner ran into the building, where he could use a telephone in private to call the rest home in Southern Pines. Petitioner reached nurse Linda Reynolds in the Alzheimer's unit at the nursing home where his mother was. Petitioner spoke at some length with nurse Reynolds about the condition of his mother.
12. While Petitioner was on the telephone with nurse Reynolds, one or more Carolina Beach Policemen arrived at the Park Office to render assistance, if needed. The Officers knocked loudly on the door approximately four (4) different times. The officers could hear that Petitioner was talking on the phone to someone. Upon the fourth knock, Petitioner spoke to them through the door in a loud voice asking them to wait until he was off the telephone. The Officers could tell that Petitioner was agitated from the sound of his telephone conversation. Corporal Kurt Bartley and Detective William Jones both testified that they heard Petitioner use profanity in telling them to wait until he was off the telephone. Petitioner testified that he did not use profanity and nurse Reynolds testified that she did not hear Petitioner use any profanity even though she heard him shout for the officers to wait until he was off the telephone. Detective Jones testified that profanity use was common among police officers.

13. Detective William Jones had been attending a traffic stop as back up in Kure Beach when he first saw Petitioner come through in the State Park vehicle with its blue lights and emergency lights on and believed that there could be some type of law enforcement situation involved, possibly requiring assistance. He followed Petitioner to the Carolina Beach State Park Office so as to render assistance, if needed.
14. When Petitioner finally opened the door, he told Officers Bartley and Jones about the situation with his mother and apologized for having caused them to come out to the Park Office. At that point, Officer Bartley and Lt. Jarman left the premises, satisfied that there was no police problem present. After the other officers left, Petitioner began to question Detective Jones about why the officers had felt it necessary to come out to the Park Office in the first place. Detective Jones felt that Petitioner became somewhat indignant about it.
15. When Detective Jones left the Park Office, he had no intention of writing a report of any kind about the incident. After he returned to the Carolina Beach Police Department, he related to others, including Lt. Jarman, the substance of his later conversation with Petitioner. Lt. Jarman reacted to this by instructing Detective Jones to write out a report and then by personally telephoning Park Superintendent Terri Taylor and complaining that one of her Rangers had a bad attitude. After complaining about Petitioner's bad attitude, Lt. Jarman informed Superintendent Taylor about Petitioner's trip up highway 421 in State Park vehicle with the blue lights and emergency lights on.
16. After investigating this incident, Superintendent Taylor caused Petitioner to be demoted from Ranger III to Ranger II with a five (5) percent (%) pay decrease for unacceptable personal conduct. Petitioner has a good work record with Respondent. He is regarded by Superintendent Taylor as an above average employee.
17. Respondent maintains a document entitled Law Enforcement Policies and Guidelines to implement its Law Enforcement Program within the State parks system. Section 12 of Guideline number 4 provides, in pertinent part:

12.0 USE OF EMERGENCY VEHICLES

12.1 Guidelines

- 12.1.1 Operation of an emergency vehicle with emergency devices activated may occur;
 - 12.1.1.6 When necessary while responding to the scene of a fire, accident, or other emergency lights shall remain activated at the scene of such incidents when necessary to protect against further injury or property damage.
 - 12.1.2.3 Serious consideration must always be given to whether the need to operate above the posted speed limit justifies the increased danger created when emergency equipment is not fully utilized. In these situations, it must be recognized that the officer does not have the legal right of way. At stop or yield devices, speed must be reduced or a stop made to insure that the way is clear to proceed.
- 12.1.3 Emergency vehicles shall be operated with headlights turned on in conjunction with emergency lights and audible warning devices. This shall apply to daytime as well as nighttime driving. Headlight flashers are authorized for use during daylight hours.
- 12.1.4 Emergency vehicles may be operated to a maximum of 30 MPH in excess of the posted or prima facie speed limit.
- 12.1.6 Prudence and care must be exercised in the area of public buildings, parking lots, intersections, wildlife crossings, and other such locations where a potential danger may arise to the public or to Division personnel. Regardless of circumstances vehicles must always be operated with due consideration and allowance given for road, traffic and weather conditions, the possibility of pedestrians or animals on the roadway and factors influencing the driver's physical condition.
- 12.1.7 The use of emergency warring devices while transporting sick and injured shall be primarily for the use of gaining the right-of-way.
18. The State Personnel Rules define unacceptable personal conduct as:
 - (1) conduct for which no reasonable person should expect to receive prior warning; or
 - (2) job-related conduct which constitutes a violation of state or federal law; or

- (3) conviction of a felony or an offense involving moral turpitude that is detrimental to or impacts the employee's service to the State; or
- (4) the willful violation of known or written work rules; or
- (5) conduct unbecoming a State employee that is detrimental to State service; or
- (6) the abuse of client(s), patient(s), student(s) or a person(s) over whom the employee has charge or to whom the employee has a responsibility or an animal owned by the State; or
- (7) absence from work after all authorized leave credits and benefits have been exhausted; or
- (8) falsification of a State application or in other employment documentation.

N.C. Admin. Code tit. 25, r. 01J.0614(h) (June 1996).

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, I make the following Conclusions of Law.

1. The parties properly are before the Office of Administrative Hearings.
2. The facts of this case establish that Petitioner held a reasonable belief at the time he drove the State Parks' vehicle from Fort Fisher Recreation Area to the Carolina Beach State Park Office that his mother's health and welfare were in imminent collapse and that he needed to reach the nursing home by telephone as soon as possible and then drive to the hospital where she had been taken. Petitioner's reasonable belief that he could treat the immediate situation as one of necessity which authorized him to utilize the vehicle's blue lights and emergency lights to help clear traffic and to exceed the posted speed by approximately 20 MPH along an open section of uncrowded road, prevents this from constituting conduct for which no reasonable person should expect to receive prior warning. Without the color of authority, Petitioner's actions could constitute violations of State law and willful violation of written work rules. While this may be a close question, justice would appear to support the proposition that Petitioner could, under the immediate press of what he had been told about his mother's collapse, proceed under the same privilege or exception to Respondent's policies and guidelines as he could for some other person involved in a health related situation deemed an emergency which might occur at the Fort Fisher Recreation Area or elsewhere in the State Parks system.
3. Petitioner has, under the facts of this case, carried the burden of proof that Respondent did not have adequate just cause to demote him from Ranger III to Ranger II with a five percent loss of salary. Petitioner is entitled to reinstatement, back pay, and reasonable attorney's fees.

RECOMMENDED DECISION

Based upon the foregoing findings of fact and conclusions of law, it is hereby recommended that Petitioner be reinstated to the position of Ranger III, that he receive back pay from the date of his demotion to the time of his reinstatement, that he receive all benefits to which he would have become entitled but for the demotion, and that he receive reasonable attorney's fees.

ORDER

It is hereby ordered that the agency serve a copy of the Final Decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, N.C. 27611-7447, in accordance with North Carolina General Statutes section 150B-36(b).

NOTICE

Before the agency makes the FINAL DECISION, it is required by North Carolina General Statutes section 150B-36(a) to give each party an opportunity to file exceptions to this RECOMMENDED DECISION, and to present written arguments to those in the agency who will make the final decision.

The agency is required by North Carolina General Statutes section 150B-36(a) to serve a copy of the Final Decision on all parties and to furnish a copy to the Parties' attorney of record

This the 22nd day of October, 1999.

Beecher R. Gray
Administrative Law Judge

STATE OF NORTH CAROLINA

COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
99 OSP 0050

LARRY A. CAMPBELL,
Petitioner,

v.

N.C. WILDLIFE RESOURCES COMMISSION,
Respondent.

RECOMMENDED DECISION

THIS MATTER was heard before Fred G. Morrison Jr., Senior Administrative Law Judge, on July 26 and 28, 1999. Petitioner initiated this contested case on January 14, 1999, in order to appeal the December, 1998, decision of the Respondent Agency wherein it refused to remove inaccurate and misleading material from the personnel file of Petitioner in violation of N.C. Gen. Stat. 126-25. In addition, Respondent Agency violated State Personnel Rule 25 NCAC .01 O .0100 et seq., Performance Management System when it failed to implement any individualized work plan for Petitioner during the July 1, 1997, through June 30, 1998, work cycle but nevertheless issued an unsatisfactory performance management summary rating to him in specific violation of 25 NCAC 010.0101, .0201-0206.

APPEARANCES

For Petitioner:

Maola Jones
Thomas Hilliard, III
Hilliard & Jones
Post Office Box 25305
Raleigh, North Carolina 27611-5305

For Respondent:

C. Norman Young, Jr
Assistant Attorney General
N.C. Department of Justice
Post Office Box 629
Raleigh, North Carolina 27602-0629

ISSUES

1. Whether Respondent violated State Personnel Policy regarding Performance Management System, Personnel Rule 25 NCAC 01O .0101, 0201-0206; .0301-.0304 when it issued Petitioner a performance management summary rating for the period July 1, 1997 through June 30, 1998, a) without following the performance management process (i.e., planning, managing and appraising) and b) without adhering to any of the established components of the mandated Performance Management System set forth in the rule.
2. Whether Respondent violated N.C. Gen. Stat. § 126-25 when it refused to remove inaccurate or misleading material from Petitioner's personnel file, such material consisting of a performance management summary rating when, in fact, an evaluation was not done.

STATUTES AND RULES INVOLVED

N.C. Gen. Stat. §§ 126-4 and 5; 126-25; 150B-22 et. seq.; State Personnel Manual, Performance Management System, Section 12; 25 NCAC 01O .0101, .0201-.0206; .0301-.0304

Based upon the testimony and evidence presented at hearing, and the documents and exhibits received into evidence, the undersigned Senior Administrative Law Judge makes the following:

FINDINGS OF FACT

1. Petitioner began his employment with respondent on August 1, 1990, as a personnel officer I (Salary Grade 70) upon transferring from the Office of State Personnel. On August 1, 1993, petitioner's position was reallocated to Salary Grade 72T.
2. From August 1, 1990, until July, 1998, Richard Hamilton, assistant director of the Wildlife Resources Commission, served as petitioner's immediate supervisor.
3. After July, 1998, Carol Batker, personnel analyst, became petitioner's immediate supervisor.
4. After receiving a Bachelor of Science Degree from North Carolina A&T State University in May, 1977, petitioner served in the United States Army for eleven (11) years, eight (8) months. In August, 1987, he received his Master of Business Administration degree from Oklahoma City University.
5. As personnel officer for respondent, petitioner was responsible for recruitment, payroll, training, employee relations, personnel records, EEO, health insurance program maintenance and other employee benefits.
6. From August, 1990, until July, 1998, respondent's Richard Hamilton developed and implemented only two (2) individualized work plans for petitioner in accordance with the state-mandated Performance Management System.
7. It was the customary practice of Richard Hamilton to avoid development and implementation of individualized work plans for the five (5) division chiefs which he supervised directly.
8. Respondent's Hamilton issued performance management summary ratings to petitioner and his division chiefs at the end of work cycles in the absence of any work plans, interim reviews, planning, managing appraising or evaluation in compliance with the performance management process.
9. A State auditor in the Summer of 1998 issued to Richard Hamilton an oral management suggestion that individualized work plans for his employees during 1997-1998 had not been completed and that such plans should be completed.
10. During the seven (7) year period from August, 1990, to June, 1997, respondent completed two (2) work plans for petitioner. The work cycles for July, 1993, to June, 1994, and July, 1996 to June, 1997 were covered by individualized work plans for petitioner. Richard Hamilton and petitioner both signed the work plans on June 22, 1994, and June 20, 1997, respectively.
11. Petitioner received a performance management summary rating of Outstanding on the work plans ending June, 1994, and June, 1997. On June 20, 1997, Hamilton wrote in Campbell's appraisal instrument: "Employee provides outstanding personnel services to the WRC and to its employees through his unique blend of training, experience, and personal philosophy. Larry is an advocate for the employee and tries to help them deal with their problems. Employee is committed to his job and WRC and is a positive force in our handling of personnel matters, especially those related to equal opportunity. Larry does an outstanding job in interfacing with OSP to get results. He knows the business, the people, and the ropes."
12. During the periods when respondent did not develop and implement individualized work plans for petitioner, namely '90-'91, '91-'92, '94-'95, '95-'96, performance management summary ratings were issued. For each of the four (4) work cycles mentioned above, petitioner received a performance rating of Outstanding
13. For the work cycle 1997-1998, respondent did not develop and implement a work plan for petitioner nor did Hamilton perform an interim review or complete the annual performance appraisal with appropriate comments as he had done for 1996-1997.
14. Nevertheless, Hamilton had a rating of Unsatisfactory sent to OSP and placed in Larry Campbell's personnel file without notice or explanation to him. This rating prevented petitioner from getting a legislative salary increase.
15. When Campbell learned of this unsatisfactory rating, he requested that it be removed from his file because it was inaccurate or misleading. Respondent denied this request.

CONCLUSIONS OF LAW

1. Respondent violated its own rules and regulations as well as those of the Office of State Personnel when it issued an unsatisfactory rating to Larry Campbell without having a work plan, interim review or annual performance review, and written appraisal.
2. Such rating is inaccurate or misleading in that its existence and submission implies that Respondent's officials had followed the rules and procedures necessary to support it.
3. G.S. § 126-25 gives Petitioner the right to seek removal of the rating from his personnel file because it is misleading for the above reason.
4. G.S. § 126-7(c)(7) does provide that disputes about individual performance appraisals shall not be considered contested case issues, but this statute does not apply to this case because the Respondent did not initiate or complete a proper performance appraisal for the subject year of 1997 - 1998.
5. Petitioner has a right to this hearing and a recommended decision that the rating be removed because it is misleading.

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned Senior Administrative Law Judge makes the following:

RECOMMENDED DECISION

That the State Personnel Commission order Respondent to remove the 1997 - 1998 performance management summary rating from Petitioner's personnel file. Further, that Respondent be ordered to pay Petitioner 1) salary increases and merit raises, etc. equal to what he would have received had the performance rating for 1997 - 1998 been outstanding or very good, 2) attorney fees and all other benefits to which he was entitled from the July 1998 date forward. Further, that the Commission order Respondent to expunge from Petitioner's personnel file all documents related to this action.

ORDER

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, Post Office Drawer 27447, Raleigh, North Carolina 27611-7447, in accordance with N.C. Gen. Stat. § 150B-36(b).

NOTICE

The agency making the final decision in this contested case is required to give such party an opportunity to file exceptions to this Recommended Decision and to present written arguments to those in the agency who will make the final decision. N.C. Gen. Stat. § 150B-36(a).

The agency is required by N.C. Gen. Stat. § 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorneys of record and to the Office of Administrative Hearings.

The agency that will make the final decision in this contested case is the State Personnel Commission.

This the 10th of November, 1999.

Fred G. Morrison Jr.
Senior Administrative Law Judge

CUMULATIVE INDEX

(Updated through December 10, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				

This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least \$5,000,000 in a 12-month period. * = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

ACUPUNCTURE, LICENSING BOARD

21 NCAC 01 .0101 13:22 NCR 1820

11/17/99

Object

*

ADMINISTRATION

Council for Women, North Carolina

1 NCAC 17 13:19 NCR 1606

Indian Affairs, Commission of

1 NCAC 15 .0201 13:02 NCR 175

1 NCAC 15 .0205 13:02 NCR 175

1 NCAC 15 .0206 13:02 NCR 175

1 NCAC 15 .0212 13:02 NCR 175

1 NCAC 15 .0213 13:02 NCR 175

Non-Public Education

1 NCAC 40 .0101

Temp Expired 05/29/99

1 NCAC 40 .0102

Temp Expired 05/29/99

1 NCAC 40 .0103

Temp Expired 05/29/99

Temp Expired 05/29/99

Temp Expired 05/29/99

Temp Expired 05/29/99

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Temp Expired 05/29/99

CUMULATIVE INDEX

(Updated through December 10, 1999)

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
1 NCAC 40 .0204		13:05 NCR 521 13:13 NCR 1057 14:04 NCR 311	Temp Expired 05/29/99 Temp Expired 05/29/99							
Purchase and Contract Division										
1 NCAC 05C	13:04 NCR 360									
1 NCAC 05D	13:04 NCR 360									
State Employees Combined Campaign										
1 NCAC 35 .0101	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0103	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0202	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0304	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0308	13:04 NCR 360		13:08 NCR 647	*						
ADMINISTRATIVE HEARINGS, OFFICE OF										
26 NCAC 01 .0101	14:08 NCR 579		14:12 NCR 1029	*						
26 NCAC 01 .0101	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 01 .0103	14:08 NCR 579		14:12 NCR 1029	S						
26 NCAC 01 .0104	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 02C .0103	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0105	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0108	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0303	14:08 NCR 579		14:12 NCR 1030	S						
26 NCAC 02C .0303	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 02C .0306	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 02C .0403	14:08 NCR 579		14:12 NCR 1030	*						
26 NCAC 03 .0101	14:08 NCR 579		14:12 NCR 1033	*						
26 NCAC 03 .0119	14:08 NCR 579		14:12 NCR 1033	*						
26 NCAC 04 .0102	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 04 .0103	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	

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26 NCAC 04 .0104	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
26 NCAC 04 .0108	N/A		N/A	N/A	Approve	11/17/99				
26 NCAC 04 .0202	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
AGRICULTURE										
2 NCAC 20B .0104	13:13 NCR 1040		13:18 NCR 1503	*	Object	07/15/99	*		14:09 NCR 708	
2 NCAC 43L .0309	13:14 NCR 1109		13:20 NCR 1718	*	Approve Object Approve	08/19/99 07/15/99 08/19/99	*		14:09 NCR 708	
Consumer Services										
2 NCAC 54 .0101	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99			14:06 NCR 490	
2 NCAC 54 .0102	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99			14:06 NCR 490	
2 NCAC 54 .0103	13:14 NCR 1119	13:14 NCR 1119 Temp Expired 10/12/99	13:20 NCR 1718	*	Agcy Withdrew	07/15/99				
2 NCAC 54 .0104	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*	Approve	07/15/99	*		14:06 NCR 490	
2 NCAC 54 .0105	13:14 NCR 1119	13:14 NCR 1119 Temp Expired 10/12/99	13:20 NCR 1718	*	Agcy Withdrew	07/15/99				
Pesticide Board										
2 NCAC 09K .0214	13:14 NCR 1109		13:20 NCR 1717	*	Approve	07/15/99	*		14:06 NCR 490	
2 NCAC 09L .0502	14:01 NCR 4		14:05 NCR 374	*						
2 NCAC 09L .1201	14:01 NCR 4		14:05 NCR 374	*						
Structural Pest Control Committee										
2 NCAC 34 .0102	14:09 NCR 655									
2 NCAC 34 .0330	14:09 NCR 687	14:09 NCR 687								
Veterinary Board										
Notice of Public Hearing on Proposed Temporary Rules										
2 NCAC 52B .0206	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0207	13:23 NCR 1946	13:23 NCR 1946	14:03 NCR 128	*	Object	11/17/99				
2 NCAC 52B .0302	13:23 NCR 1901		14:03 NCR 128	*	Object	11/17/99				
2 NCAC 52B .0401	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0402	14:08 NCR 582	14:08 NCR 582								

14:05 NCR 368

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2 NCAC 52B .0403	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0404	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0405	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0406	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0407	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0408	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0409	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0410	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0411	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52B .0412	14:08 NCR 582	14:08 NCR 582								
2 NCAC 52E .0209	13:23 NCR 1901		14:03 NCR 128	*						
APPRAISAL BOARD										
21 NCAC 57A .0305	13:01 NCR 3		13:05 NCR 513	*	Object Approve	11/19/98 03/18/99	*		14:01 NCR 48	
ARCHITECTURE, BOARD OF										
21 NCAC 02 .0206	14:08 NCR 578									
CHIROPRATIC										
21 NCAC 10 .0203		12:23 NCR 2098	13:14 NCR 1117	*	Approve	04/15/99	*		14:02 NCR 84	
COMMERCE										
4 NCAC 01E .0104	11:09 NCR 569		13:08 NCR 652	*	Object Approve	12/17/98 01/21/99				
4 NCAC 011 .0101	11:09 NCR 569	13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew Return to Agcy	12/17/98 08/19/99	*		13:22 NCR 1868	
4 NCAC 011 .0101		Temp. Expired 10/29/99	13:20 NCR 1719	L/S						
4 NCAC 011 .0102	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 011 .0102		13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0201	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 011 .0201		13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0202	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE						
4 NCAC 011 .0202		13:15 NCR 1224	13:08 NCR 652	*	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
		Temp. Expired 10/29/99	13:20 NCR 1719	L/S						

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4 NCAC 011 .0301	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0301		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0302	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0302		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	L/S						
4 NCAC 011 .0303	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0303		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0304	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0304		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0401	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0401		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0402	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0402		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	L/S						
4 NCAC 011 .0403	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0403		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0404	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0404		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0405	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0405		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0501	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0501		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0502	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0502		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	L/S						
4 NCAC 011 .0503	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0503		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	L/S						
4 NCAC 011 .0601	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
4 NCAC 011 .0601		13:15 NCR 1224	13:08 NCR 652	*						
		Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 011 .0701	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Agcy withdrew Return to Agcy	12/17/98 08/19/99				
		13:15 NCR 1224	13:08 NCR 652	*						

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4 NCAC 011 .0701		Temp. Expired 10/29/99	13:20 NCR 1719	*	Return to Agcy	08/19/99				
4 NCAC 011 .0801	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Return to Agcy	08/19/99				
4 NCAC 01K .0102	11:09 NCR 569	Temp. Expired 10/29/99	13:20 NCR 1719	*						
4 NCAC 01K .0103	11:09 NCR 569	14:08 NCR 585	14:08 NCR 585	L/S/SE	Object	12/17/98				
4 NCAC 01K .0302	11:09 NCR 569	13:08 NCR 652	13:08 NCR 652	*	Approve	01/21/99	*		13:22 NCR 1868	
4 NCAC 01K .0402	11:09 NCR 569	13:08 NCR 652	13:08 NCR 652	*	Object	12/17/98	*		13:22 NCR 1868	
				*	Approve	01/21/99	*		13:22 NCR 1868	
				*	Object	12/17/98	*		13:22 NCR 1868	
				*	Approve	01/21/99	*		13:22 NCR 1868	
Banking Commission										
4 NCAC 03B .0101	N/A	N/A	N/A	N/A	Object	10/22/98				
4 NCAC 03B .0102	N/A	N/A	N/A	N/A	Approve	03/18/99			14:01 NCR 48	
4 NCAC 03B .0103	N/A	N/A	N/A	N/A	Object	10/22/98			14:01 NCR 48	
4 NCAC 03H .0102	N/A	N/A	N/A	N/A	Approve	03/18/99			14:01 NCR 48	
4 NCAC 03L .0101	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Object	10/22/98			14:01 NCR 48	
4 NCAC 03L .0102	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	03/18/99	*		14:01 NCR 48	
4 NCAC 03L .0201	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99			14:01 NCR 48	
4 NCAC 03L .0202	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99			14:01 NCR 48	
4 NCAC 03L .0301	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99			14:01 NCR 48	
4 NCAC 03L .0302	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99	*		14:01 NCR 48	
4 NCAC 03L .0303	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99			14:01 NCR 48	
4 NCAC 03L .0401	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99			14:01 NCR 48	
4 NCAC 03L .0402	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99			14:01 NCR 48	
4 NCAC 03L .0403	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99			14:01 NCR 48	
4 NCAC 03L .0404	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99	*		14:01 NCR 48	
4 NCAC 03L .0405	13:24 NCR 1997	14:04 NCR 274	14:04 NCR 274	*	Approve	11/17/99			14:01 NCR 48	

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4 NCAC 03L .0501	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99	*			
4 NCAC 03L .0502	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0601	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0602	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0603	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0604	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0701	13:24 NCR 1997		14:04 NCR 274	*	Approve	11/17/99				
4 NCAC 03L .0702	13:24 NCR 1997		14:04 NCR 274	*	Agcy Withdrew					
			14:04 NCR 274	*	Object	11/17/99				
Cape Fear River Navigation and Pilotage Commission										
4 NCAC 15 .0119	14:03 NCR 125		14:07 NCR 522	*						14:01 NCR 2
4 NCAC 15 .0120	14:03 NCR 125		14:07 NCR 522	*						14:11 NCR 903
4 NCAC 15 .0121	14:03 NCR 125		14:07 NCR 522	*						
Industrial Commission										
Public Notice - Hospital Fees for Workers' Compensation Cases										
Public Notice - Hospital Fees for Workers' Compensation Cases										
Secretary of Commerce										
4 NCAC 21	14:08 NCR 577									
COMMUNITY COLLEGES										
23 NCAC 02B .0104	13:10 NCR 804		13:22 NCR 1849	*						
23 NCAC 02C .0307	13:05 NCR 524		Temp Expired 05/29/99							
23 NCAC 02C .0503	13:10 NCR 815		13:22 NCR 1849	*						
23 NCAC 02C .0504	13:10 NCR 815		13:22 NCR 1849	*						
23 NCAC 02C .0505	13:10 NCR 815		13:22 NCR 1849	*						
23 NCAC 02D .0323	13:19 NCR 1609		14:04 NCR 304	*						
23 NCAC 02D .0324	13:19 NCR 1609		14:04 NCR 304	*						
COSMETIC ART EXAMINERS										
21 NCAC 14A .0101	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	

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21 NCAC 14A .0103	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14A .0104	13:14 NCR 1114									
21 NCAC 14A .0105		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14C .0202	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14F .0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14F .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14G .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14H .0112		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99	*		14:06 NCR 490	
21 NCAC 14H .0118		13:16 NCR 1263	13:21 NCR 1794	*	Approve	07/15/99			14:06 NCR 490	
21 NCAC 14I .0104	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14I .0107	13:14 NCR 1114		13:19 NCR 1652	*	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14I .0109	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14J .0103			13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14J .0208	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:09 NCR 708	
21 NCAC 14J .0501	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14K .0102		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14K .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0101	13:14 NCR 1114		13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14L .0105	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:09 NCR 708	
21 NCAC 14L .0109		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0210	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14L .0214	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
21 NCAC 14L .0216		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14L .0303	13:14 NCR 1114		13:19 NCR 1652	*	Agcy Withdraw	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0101	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	

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21 NCAC 14N .0102	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0103	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0104		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0105	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0108	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0110		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0112	13:14 NCR 1114		13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0113	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14N .0601		13:14 NCR 1157	13:19 NCR 1652	*	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14N .0602		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0701		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14N .0702		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0101		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0102		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:09 NCR 708	
21 NCAC 14O .0103		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0104		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14O .0105		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:09 NCR 708	
21 NCAC 14O .0106		Temp Expired 10/12/99	13:19 NCR 1652	*	Approve	08/19/99	*		14:05 NCR 402	
21 NCAC 14O .0107		13:14 NCR 1157	13:19 NCR 1652	*	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0101		13:14 NCR 1157	13:19 NCR 1652	*	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0102		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0103		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0104		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0105		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0106		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0107		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	

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21 NCAC 14P .0108		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0109		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99			14:05 NCR 402	
21 NCAC 14P .0110		13:14 NCR 1157	13:19 NCR 1652	L	Approve	06/17/99	*		14:05 NCR 402	
21 NCAC 14P .0111		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99				
21 NCAC 14P .0112		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0113		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99				
21 NCAC 14P .0114		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 14P .0115		13:14 NCR 1157	13:19 NCR 1652	L	Object	06/17/99				
21 NCAC 14P .0116		13:14 NCR 1157	13:19 NCR 1652	L	Approve	08/19/99	*		14:09 NCR 708	
					Approve	06/17/99	*		14:05 NCR 402	
					Object	06/17/99	*		14:09 NCR 708	

CULTURAL RESOURCES

7 NCAC 04S .0101	14:05 NCR 370	14:09 NCR 657	*
7 NCAC 04S .0102	14:05 NCR 370	14:09 NCR 657	*
7 NCAC 04S .0103	14:05 NCR 370	14:09 NCR 657	*
7 NCAC 04S .0104	14:05 NCR 370	14:09 NCR 657	*
7 NCAC 04S .0105	14:05 NCR 370	14:09 NCR 657	*
7 NCAC 04S .0106	14:05 NCR 370	14:09 NCR 657	*
7 NCAC 04S .0107	14:05 NCR 370	14:09 NCR 657	*
7 NCAC 04S .0108	14:05 NCR 370	14:09 NCR 657	*
7 NCAC 04S .0109	14:05 NCR 370	14:09 NCR 657	*
7 NCAC 04S .0110	14:05 NCR 370	14:09 NCR 657	*

DENTAL EXAMINERS

21 NCAC 16G .0101	13:10 NCR 804	13:15 NCR 1218	*
21 NCAC 16G .0102	13:10 NCR 804	13:15 NCR 1218	*
21 NCAC 16G .0103	13:10 NCR 804	13:15 NCR 1218	*
21 NCAC 16H .0103	12:24 NCR 2203	13:15 NCR 1218	*
21 NCAC 16H .0104	12:24 NCR 2203	13:15 NCR 1218	*

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21 NCAC 16H .0201	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0202	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0203	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0204	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0205	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16M .0101		13:11 NCR 910	13:15 NCR 1218	*	Object Approve	06/17/99 07/15/99	*		14:06 NCR 490	
21 NCAC 16M .0102	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16Q .0201	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0202	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0301	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0302	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16S .0101	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0102	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0201	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0203	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16S .0205	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16S .0205	14:06 NCR 487	14:06 NCR 487								
21 NCAC 16V .0101	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16V .0102	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16W .0101	14:08 NCR 647	14:08 NCR 647								
21 NCAC 16W .0102	14:08 NCR 647	14:08 NCR 647								
ELECTRICAL CONTRACTORS, BOARD OF EXAMINERS										
21 NCAC 18B .0208	N/A		N/A	N/A	Object Approve	06/17/99 07/15/99			14:06 NCR 490	
EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF										
21 NCAC 11 .0101	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0102	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Agcy. withdrew					

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					Action	Date				
21 NCAC 11 .0103	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0104	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0105	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0106	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0107	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0108	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0109	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0110	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Object	01/21/99			13:24 NCR 2037	
21 NCAC 11 .0111	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	02/18/99	*		13:22 NCR 1868	
21 NCAC 11 .0112	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0112	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR										
21 NCAC 56	14:08 NCR 579									
ENVIRONMENT AND NATURAL RESOURCES										
15A NCAC 01J .0101		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0102		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0202		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0301	14:08 NCR 644	14:08 NCR 644								
15A NCAC 01J .0303		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0402		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0502		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0504		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0601		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0604		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0701		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0703		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0803		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0903		13:18 NCR 1528	13:22 NCR 1827	S/L						

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15A NCAC 01J .0904		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01K	10:19 NCR 2506									
15A NCAC 01L .0101		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0102		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0203		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0301	14:08 NCR 644	14:08 NCR 644								
15A NCAC 01L .0303		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0501		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0503		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0601		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0604		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0701		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0801		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0902		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .1003		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .1004		13:18 NCR 1528	13:22 NCR 1827	*						
Coastal Resources Commission										
15A NCAC 07	11:04 NCR 183									
15A NCAC 07H .0200	13:22 NCR 1818									
15A NCAC 07H .0201	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .0203	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .0208	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07H .0208	12:21 NCR 1873									
15A NCAC 07H .0209	12:21 NCR 1873		13:23 NCR 1937	S/L						14:02 NCR 74
15A NCAC 07H .0210	12:02 NCR 52									
15A NCAC 07H .0300	13:05 NCR 436									
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						

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					Action	Date				
15A NCAC 07H .0306	12:19 NCR 1763									
15A NCAC 07H .0309	13:05 NCR 436		13:13 NCR 1044	S	Object Approve	07/15/99 08/19/99	*		14:09 NCR 708	
15A NCAC 07H .1100	12:21 NCR 1873									
15A NCAC 07H .1103	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1200	12:21 NCR 1873									
15A NCAC 07H .1203	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1300	14:06 NCR 428									
15A NCAC 07H .1301	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .1303	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1403	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H .1503	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1600	14:06 NCR 428									
15A NCAC 07H .1601	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .1603	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1700	12:21 NCR 1873									
15A NCAC 07H .1803	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .1805		13:07 NCR 593	13:16 NCR 1259	*	Object	07/15/99				
15A NCAC 07H .1901	12:21 NCR 1873									
15A NCAC 07H .1903	14:06 NCR 428		13:23 NCR 1937	*	Object Approve	08/19/99 10/04/99	*		14:10 NCR 839	14:02 NCR 74
15A NCAC 07H .2003	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .2100	14:06 NCR 428									
15A NCAC 07H .2101	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	

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					Action	Date				
15A NCAC 07H .2102	13:05 NCR 436		13:13 NCR 1044	S	Approve	07/15/99	*		14:06 NCR 490	
15A NCAC 07H .2103	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .2105	13:05 NCR 436		13:13 NCR 1044	S	Object	07/15/99				
15A NCAC 07H .2203	14:06 NCR 428		14:09 NCR 662	S/L	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 07H .2300	14:06 NCR 428									
15A NCAC 07H .2301	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07H .2303	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07H .2401	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2402	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 07H .2403	13:05 NCR 436		13:13 NCR 1044	S	Approve	05/20/99			14:04 NCR 330	
15A NCAC 07H .2404	13:05 NCR 436		13:13 NCR 1044	S	Object	05/20/99	*		14:05 NCR 402	
15A NCAC 07H .2405	13:05 NCR 436		13:13 NCR 1044	S	Approve	06/17/99	*		14:04 NCR 330	
15A NCAC 07H .2501	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2502	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2503	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2504	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07H .2505	14:09 NCR 693	14:09 NCR 693								
15A NCAC 07J .0200	12:24 NCR 2202									
15A NCAC 07J .0204		13:07 NCR 593	Temp Expired 06/28/99							
15A NCAC 07J .0204			14:09 NCR 662	S/L						
15A NCAC 07J .0404	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07J .0405	12:24 NCR 2202									
15A NCAC 07J .0405	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07J .0406	14:06 NCR 428		14:09 NCR 662	S/L						
15A NCAC 07K .0203	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07K .0208	12:21 NCR 1873									

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15A NCAC 07K .0208	14:06 NCR 428									
15A NCAC 07K .0209	12:21 NCR 1873		13:23 NCR 1937	*						14:02 NCR 74
15A NCAC 07L .0202	12:21 NCR 1874									
15A NCAC 07L .0203	12:21 NCR 1874									
15A NCAC 07L .0206	12:21 NCR 1874									
15A NCAC 07L .0302	12:21 NCR 1874									
15A NCAC 07L .0304	12:21 NCR 1874									
15A NCAC 07L .0401	12:21 NCR 1874									
15A NCAC 07L .0405	12:21 NCR 1874									
15A NCAC 07M .0300	12:24 NCR 2202									
15A NCAC 07M .0307	13:22 NCR 1818									
15A NCAC 07M .0401	13:04 NCR 361	13:12 NCR 976	14:09 NCR 666	S/L						
15A NCAC 07M .0401	14:01 NCR 44	14:01 NCR 44	13:16 NCR 1259	*						
15A NCAC 07M .0402	13:04 NCR 361	13:12 NCR 976	14:09 NCR 666	*						
15A NCAC 07M .0402	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*						
15A NCAC 07M .0403	13:04 NCR 361	13:12 NCR 976	13:16 NCR 1259	*						
15A NCAC 07M .0403	14:01 NCR 44	14:01 NCR 44	14:09 NCR 666	*						
Environmental Management Commission										
Notice of Intent to Adopt Temporary Rules (Tar-Pamlico River Basin)										
15A NCAC 02	10:24 NCR 3045									14:05 NCR 369
15A NCAC 02	11:04 NCR 183									
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B .0100	13:08 NCR 621									
15A NCAC 02B .0101	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0110	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0200	13:08 NCR 621									
15A NCAC 02B .0202	11:24 NCR 1818		11:30 NCR 2303	*						

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15A NCAC 02B .0211	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0220	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0223	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0225	13:08 NCR 621		14:06 NCR 434	*						
15A NCAC 02B .0225	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0230	14:10 NCR 823	14:10 NCR 823								
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L/SE						
15A NCAC 02B .0233	11:02 NCR 75		11:10 NCR 824	L	Object Approve	01/15/98 02/19/98	*		12:22 NCR 2012	Disapproved (HB 1402)
		12:02 NCR 77 12:14 NCR 1348 12:20 NCR 1836 13:24 NCR 2017	11:14 NCR 1136	L						
15A NCAC 02B .0234	14:11 NCR 906		14:04 NCR 287 12:06 NCR 462	L/SE S/L/SE						
15A NCAC 02B .0241	14:03 NCR 125		14:09 NCR 660	*						
15A NCAC 02B .0242		13:24 NCR 2017	14:04 NCR 287	*						
15A NCAC 02B .0245	12:23 NCR 2088		13:04 NCR 368	*						
15A NCAC 02B .0246	12:23 NCR 2088		13:04 NCR 368	*						
15A NCAC 02B .0247	12:23 NCR 2088		13:04 NCR 368	L/SE						
15A NCAC 02B .0255	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0256	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0257	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0258	13:23 NCR 1901		14:03 NCR 162	L/SE						
15A NCAC 02B .0259	13:23 NCR 1901		14:03 NCR 162	L/SE						
15A NCAC 02B .0260	13:23 NCR 1901		14:03 NCR 162	SE						

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					Action	Date				
15A NCAC 02B .0261	13:23 NCR 1901		14:03 NCR 162	SE						
15A NCAC 02B .0262	13:23 NCR 1901									
15A NCAC 02B .0303	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0304	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0306	13:14 NCR 1111		13:20 NCR 1727	*						14:02 NCR 73
15A NCAC 02B .0306	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0308	12:16 NCR 1489									
15A NCAC 02B .0308	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0310	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0316	11:26 NCR 1976		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	Disapproved (HB 1402)
15A NCAC 02B .0317	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02C .0100	14:10 NCR 743									
15A NCAC 02C .0102	14:10 NCR 743									
15A NCAC 02C .0103	14:10 NCR 743									
15A NCAC 02C .0105	14:10 NCR 743									
15A NCAC 02C .0107	14:10 NCR 743									
15A NCAC 02C .0108	14:10 NCR 743									
15A NCAC 02C .0110	14:10 NCR 743									
15A NCAC 02C .0111	14:10 NCR 743									
15A NCAC 02C .0112	14:10 NCR 743									
15A NCAC 02C .0113	14:10 NCR 743									
15A NCAC 02C .0114	14:10 NCR 743									
15A NCAC 02C .0117	14:10 NCR 743									
15A NCAC 02C .0118	14:10 NCR 743									
15A NCAC 02D	13:12 NCR 943									
15A NCAC 02D .0101	12:02 NCR 52									
15A NCAC 02D .0101	12:16 NCR 1482									

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15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0501	11:04 NCR 183									
15A NCAC 02D .0501	13:16 NCR 1252									
15A NCAC 02D .0506	14:04 NCR 265									
15A NCAC 02D .0518	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0521	14:04 NCR 265									
15A NCAC 02D .0523	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0524	13:08 NCR 621		14:03 NCR 162	*	Approve	11/17/99	*			
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0540	13:04 NCR 356									
15A NCAC 02D .0541	13:08 NCR 621									
15A NCAC 02D .0541	13:16 NCR 1252									
15A NCAC 02D .0542	13:24 NCR 1994		14:03 NCR 162	*	Object	11/17/99				
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0611	11:15 NCR 1200									
15A NCAC 02D .0612	11:15 NCR 1200									
15A NCAC 02D .0613	11:15 NCR 1200									
15A NCAC 02D .0614	11:15 NCR 1200									
15A NCAC 02D .0615	11:15 NCR 1200									
15A NCAC 02D .0806	11:26 NCR 1976									
15A NCAC 02D .0902	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0903	11:15 NCR 1200									
15A NCAC 02D .0909	11:19 NCR 1408		14:07 NCR 524	*						

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15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0917	11:19 NCR 1408									
15A NCAC 02D .0918	11:19 NCR 1408									
15A NCAC 02D .0919	11:19 NCR 1408									
15A NCAC 02D .0920	11:19 NCR 1408									
15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0926	13:16 NCR 1252									
15A NCAC 02D .0927	13:16 NCR 1252									
15A NCAC 02D .0932	13:16 NCR 1252									
15A NCAC 02D .0934	11:19 NCR 1408									
15A NCAC 02D .0948	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0949	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0950	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0951	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .0952	12:16 NCR 1482									
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .0958	11:19 NCR 1408		14:07 NCR 524	*						
15A NCAC 02D .1005	14:04 NCR 265									
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1103	13:04 NCR 356									
15A NCAC 02D .1103	14:04 NCR 265									
15A NCAC 02D .1104	13:04 NCR 356									
15A NCAC 02D .1104	13:16 NCR 1252									
15A NCAC 02D .1105	11:15 NCR 1200									

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15A NCAC 02D .1106	11:26 NCR 1976									
15A NCAC 02D .1200	14:04 NCR 265									
15A NCAC 02D .1201	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1202	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1203	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1204	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1205	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1206	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1207	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1208	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1209	13:12 NCR 943		14:03 NCR 162	*						
15A NCAC 02D .1201	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1202	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1203	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1204	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1205	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1206	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1207	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1208	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1209	13:16 NCR 1252		14:03 NCR 162	*						
15A NCAC 02D .1400	13:24 NCR 1994									
15A NCAC 02D .1404	11:15 NCR 1200									
15A NCAC 02D .1700	12:02 NCR 52									
15A NCAC 02D .1703	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1708	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1709	13:16 NCR 1252		14:07 NCR 524	*						
15A NCAC 02D .1801		13:18 NCR 1545 13:22 NCR 1860	14:03 NCR 162 14:03 NCR 162	SE SE	Object Object	11/17/99 11/17/99				

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15A NCAC 02D .1802		13:18 NCR 1545	14:03 NCR 162	SE	Object	11/17/99				
15A NCAC 02D .1803		13:22 NCR 1860	14:03 NCR 162	SE	Object	11/17/99				
		13:18 NCR 1545	14:03 NCR 162	SE	Approve	11/17/99	*			
15A NCAC 02D .1804		13:22 NCR 1860	14:03 NCR 162	SE	Approve	11/17/99	*			
15A NCAC 02D .1805		13:18 NCR 1545	14:03 NCR 162	SE	Approve	11/17/99				
		13:18 NCR 1545								
		13:24 NCR 2017								
15A NCAC 02D .1903	12:16 NCR 1482									
15A NCAC 02D .1903	13:12 NCR 943									
15A NCAC 02D .1904	12:16 NCR 1482									
15A NCAC 02D .2101	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2102	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2103	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2104	13:04 NCR 356		14:07 NCR 524	L						
15A NCAC 02D .2200	11:26 NCR 1976									
15A NCAC 02E .0102	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0103	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0106	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0107	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0201	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0202	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0205	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0501	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0502	13:20 NCR 1715		13:24 NCR 1998	S/L/SE						14:01 NCR 3
15A NCAC 02E .0503	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02E .0504	13:20 NCR 1715		13:24 NCR 1998	*						14:01 NCR 3
15A NCAC 02H .0226	12:20 NCR 1817	13:04 NCR 426	13:05 NCR 491	*						14:01 NCR 3
		Temp Expired 05/11/99								
15A NCAC 02H .0806	13:04 NCR 356		14:02 NCR 80	L						14:01 NCR 3
15A NCAC 02H .0800	13:08 NCR 621									

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15A NCAC 03H .1202	11:15 NCR 1200									
15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									
15A NCAC 02H .1205	11:15 NCR 1200									
15A NCAC 02L .0202	13:04 NCR 356									
15A NCAC 02L .0202	14:10 NCR 743									
15A NCAC 02N	11:15 NCR 1200									
15A NCAC 02N	11:15 NCR 1204									
15A NCAC 02P	11:15 NCR 1200									
15A NCAC 02P .0402	13:24 NCR 1994	14:07 NCR 550	14:11 NCR 908	S/L						
15A NCAC 02Q .0102	12:16 NCR 1482									
15A NCAC 02Q .0102	13:08 NCR 621		14:03 NCR 162	*	Approve	11/17/99				
15A NCAC 02Q .0102	13:12 NCR 943		14:03 NCR 162	*	Approve	11/17/99				
15A NCAC 02Q .0102		13:18 NCR 1545	14:03 NCR 162	*	Approve	11/17/99				
15A NCAC 02Q .0102	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0102	14:04 NCR 265									
15A NCAC 02Q .0103	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0109	14:04 NCR 265									
15A NCAC 02Q .0202	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0304	14:04 NCR 265									
15A NCAC 02Q .0305	14:04 NCR 265									
15A NCAC 02Q .0306	13:12 NCR 943			*						
15A NCAC 02Q .0401	14:04 NCR 265		14:03 NCR 162							
15A NCAC 02Q .0502	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	S						
15A NCAC 02Q .0503	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0507	13:24 NCR 1994	14:10 NCR 823	14:07 NCR 524	*						
15A NCAC 02Q .0508	13:08 NCR 621	14:10 NCR 823	14:07 NCR 524	*						

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15A NCAC 02Q .0508	14:04 NCR 265									
15A NCAC 02Q .0700	11:08 NCR 442									
15A NCAC 02Q .0702	13:12 NCR 943		13:20 NCR 1727 14:03 NCR 162	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 02Q .0703	13:04 NCR 356			*						
15A NCAC 02Q .0703	14:04 NCR 265									
15A NCAC 02Q .0711	13:04 NCR 356									
15A NCAC 02Q .0711	13:16 NCR 1252									
15A NCAC 02Q .0800	14:04 NCR 265									
15A NCAC 02R .0204	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0205	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0600	12:02 NCR 52									
15A NCAC 02S .0101	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0102	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0201	14:04 NCR 272		14:10 NCR 755	*						
15A NCAC 02S .0202	14:04 NCR 272		14:10 NCR 755	*						
Health Services, Commission for										
15A NCAC 13A .0101	14:04 NCR 265		14:10 NCR 757	S						
	14:05 NCR 370		14:10 NCR 757	S						
15A NCAC 13A .0102	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0103	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0104	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0106	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0108	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0110	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0112	14:04 NCR 265		14:10 NCR 757	*						
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15A NCAC 13A .0113	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13A .0118	14:04 NCR 265		14:10 NCR 757	*						
	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13B .1800	11:26 NCR 1976									
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A .0100	14:09 NCR 656									
15A NCAC 18A .0300	14:09 NCR 656									
15A NCAC 18A .0400	14:09 NCR 656									
15A NCAC 18A .0432		12:14 NCR 1352								
15A NCAC 18A .0500	14:09 NCR 656									
15A NCAC 18A .0600	14:09 NCR 656									
15A NCAC 18A .0700	14:09 NCR 656									
15A NCAC 18A .0800	14:09 NCR 656									
15A NCAC 18A .0900	14:09 NCR 656									
15A NCAC 18A .1000	13:16 NCR 1252									
15A NCAC 18A .1300	13:16 NCR 1252									
15A NCAC 18A .1600	13:16 NCR 1252									
15A NCAC 18A .1601		12:21 NCR 1882	Temp Expired 01/26/99							
15A NCAC 18A .1611		12:21 NCR 1882	Temp Expired 01/26/99							
		13:12 NCR 979	13:20 NCR 1738	*	Approve	08/19/99			14:09 NCR 708	
		Temp Expired 01/26/99								
15A NCAC 18A .1700	13:16 NCR 1252	12:18 NCR 1713	Temp Expired 12/11/98							
15A NCAC 18A .1720	12:16 NCR 1482	12:21 NCR 1882	Temp Expired 01/26/99							
		12:24 NCR 2228	Temp Expired 03/12/99							
15A NCAC 18A .1808	13:08 NCR 621		13:13 NCR 1047	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 18A .1809	14:11 NCR 906	14:12 NCR 1041								
15A NCAC 18A .1810		12:24 NCR 2228	13:13 NCR 1047	*	Approve	04/15/99			14:02 NCR 84	

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15A NCAC 18A .1812	13:08 NCR 621	14:12 NCR 1041	13:13 NCR 1047	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 18A .1812	14:11 NCR 906	14:12 NCR 1041								
15A NCAC 18A .1938	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .1952		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1953		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .1954		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1955		13:12 NCR 979	14:03 NCR 234	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 18A .1956	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 18A .2400	13:16 NCR 1252									
15A NCAC 18A .2515	14:04 NCR 265		14:11 NCR 909	*						
15A NCAC 18A .2515	14:06 NCR 428		14:11 NCR 909	*						
15A NCAC 18A .2600	12:04 NCR 240									
15A NCAC 18A .2618	N/A	N/A	N/A	N/A	Approve	08/19/99			14:09 NCR 708	
15A NCAC 18A .2802	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2805	12:16 NCR 1482									
15A NCAC 18A .2806	12:16 NCR 1482									
15A NCAC 18A .2806	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2807	12:16 NCR 1482									
15A NCAC 18A .2809	12:16 NCR 1482									
15A NCAC 18A .2810	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2811	12:16 NCR 1482									
15A NCAC 18A .2812	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2814	12:16 NCR 1482									
15A NCAC 18A .2815	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2816	12:16 NCR 1482									
15A NCAC 18A .2818	12:16 NCR 1482									

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15A NCAC 18A .2825	14:11 NCR 907	14:12 NCR 1041								
15A NCAC 18A .2826	12:16 NCR 1482									
15A NCAC 18A .2835	12:16 NCR 1482									
15A NCAC 18A .2836	12:16 NCR 1482									
15A NCAC 18C .0301	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0302	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0303	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0305	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0306	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*						
15A NCAC 18C .0307	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0308	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .0309	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	S/L						
15A NCAC 18C .1304	13:04 NCR 356	14:03 NCR 247	14:03 NCR 247	*						
15A NCAC 18C .1513	14:05 NCR 370		14:10 NCR 757	*						
15A NCAC 18C .1538	14:05 NCR 370		14:10 NCR 757	S/L						
15A NCAC 18C .2007	14:05 NCR 370		14:10 NCR 757	S/L/SE						
15A NCAC 18C .2008	14:05 NCR 370		14:10 NCR 757	S/L						
15A NCAC 18D .0201	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0203	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0205	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0206	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0304	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0305	13:23 NCR 1928		14:06 NCR 468	*						
15A NCAC 18D .0307	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0308	13:23 NCR 1928		14:06 NCR 468	S/L						

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15A NCAC 18D .0403	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 18D .0701	13:23 NCR 1928		14:06 NCR 468	S/L						
15A NCAC 26C .0001	11:19 NCR 1408									
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									
15A NCAC 26C .0007	11:19 NCR 1408									
Land Resources/Land Quality/Sedimentation Control Commission										
15A NCAC 04B .0106	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 04B .0107	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 04B .0126	14:07 NCR 520		14:12 NCR 962	S/L						
15A NCAC 04B .0127	12:20 NCAC 1817		13:09 NCR 760	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 04C .0107	13:12 NCR 943		13:19 NCR 1651	*	Approve	10/04/99			14:10 NCR 839	
Marine Fisheries Commission										
15A NCAC 03	11:11 NCR 881									
15A NCAC 03	11:20 NCR 1537									
15A NCAC 03	11:26 NCR 1985									
15A NCAC 03	13:14 NCR 1113									
15A NCAC 03	13:17 NCR 1377									
15A NCAC 03H .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03H .0103	12:23 NCR 2089									
	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
	14:04 NCR 323	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 031 .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						

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15A NCAC 03I .0107	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 03I .0114	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03I .0117	N/A		N/A	N/A	Extend Review	11/17/99				
15A NCAC 03I .0120	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03J .0103		13:08 NCR 739								
15A NCAC 03J .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03J .0103	14:09 NCR 688	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03J .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03J .0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03J .0202	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03J .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03J .0302	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03J .0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03J .0402	14:09 NCR 655									
15A NCAC 03K .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03K .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03K .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03K .0202	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03K .0502	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03L .0102	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03L .0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03L .0205	14:09 NCR 688	14:09 NCR 688								
15A NCAC 03L .0206	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0202	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0301	14:12 NCR 958	14:12 NCR 1038								
15A NCAC 03M .0501		13:08 NCR 739								
15A NCAC 03M .0503	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						

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					Action	Date				
15A NCAC 03M .0504	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0506		13:22 NCR 1865								
15A NCAC 03M .0506		14:12 NCR 1038								
15A NCAC 03M .0507	13:10 NCR 803									
15A NCAC 03M .0507	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0511	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0513	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 03M .0513	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 03M .0513	13:19 NCR 1666									
15A NCAC 03M .0515	12:23 NCR 2089		13:03 NCR 303	*						
15A NCAC 03M .0515	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03M .0515		14:12 NCR 1038								
15A NCAC 03M .0516	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0101	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0101	14:09 NCR 688									
15A NCAC 03O .0102	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0103	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0104	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0105	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0106	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0107	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0108	13:14 NCR 1113	14:01 NCR 18								
		14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 03O .0109	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 03O .0109	14:09 NCR 688									
15A NCAC 03O .0110	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						

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15A NCAC 030 .0111	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0201	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0301	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0302	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0303	13:14 NCR 1113	14:04 NCR 323	14:06 NCR 443	*						
15A NCAC 030 .0304	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0305	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0306	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0307	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0308	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0309	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0310	13:14 NCR 1113	14:01 NCR 18	14:06 NCR 443	*						
15A NCAC 030 .0401	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0402	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0403	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0404	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0405	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 030 .0406	13:14 NCR 1113	13:18 NCR 1553	14:06 NCR 443	*						
15A NCAC 03P .0101	N/A		N/A	N/A	Approve	07/15/99			14:06 NCR 490	
15A NCAC 03P .0102	N/A		N/A	N/A	Approve	07/15/99			14:06 NCR 490	
15A NCAC 03Q .0106	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 03Q .0107	11:26 NCR 1985		13:13 NCR 1043	*	Approve	05/20/99			14:04 NCR 330	
15A NCAC 03Q .0107	14:12 NCR 958									

Parks and Recreation Commission

15A NCAC 12A .0001 12:13 NCR 1097
15A NCAC 12A .0004 12:13 NCR 1097
15A NCAC 12A .0005 12:13 NCR 1097

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15A NCAC 12B .0101	12:13 NCR 1097									
15A NCAC 12B .0104	12:13 NCR 1097									
15A NCAC 12B .0106	12:13 NCR 1097									
15A NCAC 12B .0203	12:13 NCR 1097									
15A NCAC 12B .0401	12:13 NCR 1097									
15A NCAC 12B .0402	12:13 NCR 1097									
15A NCAC 12B .0501	12:13 NCR 1097									
15A NCAC 12B .0602	12:13 NCR 1097									
15A NCAC 12B .0701	12:13 NCR 1097									
15A NCAC 12B .0702	12:13 NCR 1097									
15A NCAC 12B .0802	12:13 NCR 1097									
15A NCAC 12B .1001	12:13 NCR 1097									
15A NCAC 12B .1004	12:13 NCR 1097									
15A NCAC 12B .1102	12:13 NCR 1097									
15A NCAC 12B .1201	12:13 NCR 1097									
Water Pollution Control System Operators Certification Commission										
15A NCAC 08E	11:26 NCR 1976									
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F .0406	13:16 NCR 1252									
15A NCAC 08F .0407	13:16 NCR 1252									
Waste Management										
Public Notice - Seaboard Chemical Corporation										
Well Contractors Certification Commission										
15A NCAC 27 .0101	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object Approve	08/19/99 10/04/99	*		14:10 NCR 839 14:09 NCR 708	
15A NCAC 27 .0110	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*			
15A NCAC 27 .0201	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object Approve	08/19/99 10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0301	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99				

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					Action	Date				
15A NCAC 27 .0401	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0410	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0420	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0430	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0440	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0501	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0510	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0520	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27 .0601	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0701	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0801	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:09 NCR 708	
15A NCAC 27 .0810	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Agcy withdrew	09/30/99			14:09 NCR 708	
15A NCAC 27 .0820	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0830	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	10/04/99	*		14:10 NCR 839	
15A NCAC 27 .0840	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Object	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0901	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27 .0910	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:10 NCR 839	
15A NCAC 27 .0920	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	10/04/99	*		14:09 NCR 708	
15A NCAC 27 .0930	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*	Approve	08/19/99	*		14:10 NCR 839	
Wildlife Resources Commission										
15A NCAC 10B .0100	14:08 NCR 577				Approve	10/04/99				
15A NCAC 10B .0105	13:07 NCR 595	13:07 NCR 595	13:12 NCR 948	*	Object	04/15/99			14:04 NCR 330	
15A NCAC 10B .0109	N/A	N/A	N/A	N/A	Approve	05/20/99	*		14:05 NCR 402	
15A NCAC 10B .0113	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	06/17/99			14:02 NCR 84	

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15A NCAC 10B .0115	13:18 NCR 1502		13:22 NCR 1842	*						
15A NCAC 10B .0116	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0119	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0200	14:08 NCR 577									
15A NCAC 10B .0202	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0203	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0203	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0204	N/A		N/A	N/A	Approve	06/17/99			14:05 NCR 402	
15A NCAC 10B .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10B .0209	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10B .0209	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10B .0212	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Object	04/15/99				
15A NCAC 10B .0302	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	05/20/99	*		14:04 NCR 330	
15A NCAC 10B .0403	13:23 NCR 1928		14:12 NCR 963	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0107	13:08 NCR 625		13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10C .0107	14:09 NCR 655									
15A NCAC 10C .0200	14:08 NCR 577									
15A NCAC 10C .0205	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0206	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0300	14:08 NCR 577									
15A NCAC 10C .0305	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0305	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10C .0400	14:08 NCR 577									
15A NCAC 10C .0401	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0401	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10C .0402	14:08 NCR 577		14:12 NCR 963	*						

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15A NCAC 10C .0407	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10C .0500	14:08 NCR 577									
15A NCAC 10C .0501	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 10C .0502	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99	*		14:09 NCR 708	
15A NCAC 10C .0503	13:14 NCR 1113		13:20 NCR 1737	*	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10C .0503	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0100	14:08 NCR 577									
15A NCAC 10D .0102	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0102	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10D .0102	13:19 NCR 1609									
15A NCAC 10D .0103	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*		14:02 NCR 84	
15A NCAC 10D .0103	13:19 NCR 1609	14:07 NCR 551	14:01 NCR 6	*						
15A NCAC 10D .0103	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10D .0104	14:08 NCR 577		14:12 NCR 963	*						
15A NCAC 10F .0201	N/A		N/A	N/A	Approve	03/18/99			14:01 NCR 48	
15A NCAC 10F .0202	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
15A NCAC 10F .0300	14:01 NCR 5									
15A NCAC 10F .0303	14:02 NCR 79									
15A NCAC 10F .0310	13:07 NCR 595	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0317	13:08 NCR 625		13:14 NCR 1116	*	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0321	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0323	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0327	14:08 NCR 577									
15A NCAC 10F .0330	13:03 NCR 269	13:07 NCR 595	13:07 NCR 595	S/L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0330	13:11 NCR 855	13:15 NCR 1217	13:15 NCR 1231	L	Approve	04/15/99			14:02 NCR 84	
15A NCAC 10F .0332	14:08 NCR 577									
15A NCAC 10F .0333	14:02 NCR 79		14:08 NCR 580	L						

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15A NCAC 10F .0336	14:08 NCR 577									
15A NCAC 10F .0339	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10F .0339	13:23 NCR 1928		14:08 NCR 580	L						
15A NCAC 10F .0342	13:07 NCR 585	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*		13:24 NCR 2037	
15A NCAC 10F .0353	14:02 NCR 79		14:12 NCR 963	L						
15A NCAC 10F .0354	14:02 NCR 79									
15A NCAC 10F .0355	14:04 NCR 272		14:08 NCR 580	L						
15A NCAC 10F .0367	13:14 NCR 1113	13:19 NCR 1666	13:19 NCR 1666	L	Approve	08/19/99			14:09 NCR 708	
15A NCAC 10I .0100	14:11 NCR 906									
FINAL DECISION LETTERS										
Voting Rights Act										14:02 NCR 75
Voting Rights Act										14:03 NCR 123
Voting Rights Act										14:04 NCR 263
Voting Rights Act										14:08 NCR 576
Voting Rights Act										14:10 NCR 739
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FORESTERS, BOARD OF REGISTRATION FOR										
21 NCAC 20 .0101		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99			14:10 NCR 839	
21 NCAC 20 .0103		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0104		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0105		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0106		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0117		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0120		13:19 NCR 1695	13:23 NCR 1942	*	Object	10/04/99				
					Approve	11/17/99	*			
21 NCAC 20 .0122		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
21 NCAC 20 .0123		13:19 NCR 1695	13:23 NCR 1942	*	Approve	10/04/99	*		14:10 NCR 839	
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21 NCAC 12 .0202	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0204		13:06 NCR 568	13:13 NCR 1048	*	Approve	05/20/99			14:04 NCR 330	
21 NCAC 12 .0204	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0205	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0209	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0307	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0402	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0405	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0410	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0504	13:13 NCR 1040		13:18 NCR 1524	*						
			13:24 NCR 2015	*	Approve	11/17/99				
21 NCAC 12 .0901	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 12 .0907	13:22 NCR 1821		14:06 NCR 474	*						
21 NCAC 21 .0501	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0502	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0514	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .0515	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .1101	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						
21 NCAC 21 .1102	14:05 NCR 372	14:12 NCR 1064	14:12 NCR 1064	*						

GOVERNOR'S EXECUTIVE ORDERS

Number 152 - Eff. 05/21/99	14:01 NCR 1
Number 153 - Eff. 05/28/99	14:02 NCR 72
Number 154 - Eff. 07/14/99	14:06 NCR 426
Number 155 - Eff. 07/20/99	14:07 NCR 510
Number 156 - Eff. 07/20/99	14:07 NCR 510
Number 157 - Eff. 08/13/99	14:07 NCR 510

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Number 158 - Eff. 08/30/99										14:07 NCR 510
Number 159 - Eff. 09/15/99										14:08 NCR 574
Number 160 - Eff. 09/16/99										14:08 NCR 574
Number 161 - Eff. 09/19/99										14:08 NCR 574
Number 162 - Eff. 10/18/99										14:10 NCR 737
Number 163 - Eff. 10/18/99										14:10 NCR 737
Number 164 - Eff. 10/18/99										14:10 NCR 737
Number 165 - Eff. 11/15/99										14:12 NCR 953
GOVERNOR, OFFICE OF										
9 NCAC 05G .0101		14:03 NCR 245								
9 NCAC 05G .0102		14:03 NCR 245								
9 NCAC 05G .0103		14:03 NCR 245								
9 NCAC 05G .0104		14:03 NCR 245								
HEALTH AND HUMAN SERVICES										
Aging										
10 NCAC 22	10:23 NCR 2956									
Blind/State Rehabilitation Council, Commission for the										
10 NCAC 19G .0823		13:17 NCR 1378	13:21 NCR 1785	*						
10 NCAC 19G .0827		13:17 NCR 1378	13:21 NCR 1785	*						*
Child Day Care Commission										
10 NCAC 03U .0102	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .0700	14:10 NCR 742									
10 NCAC 03U .2501	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .2502	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .2510	12:21 NCR 1873		14:03 NCR 154	L						
10 NCAC 03U .2804	12:21 NCR 1873		14:03 NCR 154	*						
10 NCAC 03U .2811	12:21 NCR 1873		14:03 NCR 154	S						

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Controller, Office of										
10 NCAC 01B .0418	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0419	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0420	13:14 NCR 1109		13:22 NCR 1823	*	Approve	07/15/99	*		14:06 NCR 490	
10 NCAC 01B .0501	14:07 NCR 518	14:08 NCR 594								
10 NCAC 01B .0502	14:07 NCR 518	14:08 NCR 594								
Facility Services										
Abbreviated Notice of Temporary Rule-Making										
10 NCAC 03R .1613		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				14:04 NCR 264
10 NCAC 03R .1615		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1713		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1714		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1715		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1912		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1913		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .1914		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .2113		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .2713		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .2715		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .4203		13:14 NCR 1119	14:04 NCR 279	*	Approve	11/17/99				
10 NCAC 03R .6001	11:22 NCR 1704									
10 NCAC 03R .6112		12:15 NCR 1431 Temp Expired 04/15/99	13:02 NCR 178	S/L/SE	Object Object Returned to Acy Approve	10/22/98 12/17/98 04/15/99 11/17/99				
10 NCAC 03R .6201		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			
10 NCAC 03R .6202		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			
10 NCAC 03R .6203		13:14 NCR 1119 14:04 NCR 314	14:03 NCR 130	*	Approve	11/17/99	*			
10 NCAC 03R .6204		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			

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					Action	Date				
10 NCAC 03R .6205		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6206		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6207		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6208		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6209		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6210		14:04 NCR 314	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6211		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6212		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6213		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6214		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6215		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6216		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6217		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6218		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6219		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6220		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6221		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6222		14:04 NCR 314	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6223		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6224		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6225		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6226		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6227		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6228		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6229		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99				
10 NCAC 03R .6230		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			
10 NCAC 03R .6231		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99	*			

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10 NCAC 03R .6232		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6233		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Approve	11/17/99	*			
10 NCAC 03R .6234		13:14 NCR 1119	14:03 NCR 130	S/L/SE	Object	11/17/99				
10 NCAC 03R .6235		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6236		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6237		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6238		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6239		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6240		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6241		13:14 NCR 1119	14:03 NCR 130	*	Approve	11/17/99				
10 NCAC 03R .6242	12:14 NCR 1035									
10 NCAC 03R .6243	12:14 NCR 1035	12:14 NCR 1035								
10 NCAC 03S .0108	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0109	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0207	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0208	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0209	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0210	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0211	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0213	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0214	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0307	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0308	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0407	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0408	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0506	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0507	12:24 NCR 2194		14:05 NCR 374	*						

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10 NCAC 03S .0508	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0509	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0510	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0511	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0614	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0615	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0616	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0617	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0618	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0619	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0706	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0707	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0806	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0807	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0808	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0901	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0902	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0903	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .0904	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1001	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1002	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1003	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1004	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1005	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1006	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1101	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1201	12:24 NCR 2194		14:05 NCR 374	*						
					Object	11/17/99				

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10 NCAC 03S .1202	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1203	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1204	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1205	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1206	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1207	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1301	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1302	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1303	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1401	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1501	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1601	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1701	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1702	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1801	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1802	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1803	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .1804	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1805	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1806	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1901	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1902	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .1903	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2001	12:24 NCR 2194		14:05 NCR 374	*	Object	11/17/99				
10 NCAC 03S .2002	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2101	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2102	12:24 NCR 2194		14:05 NCR 374	*						

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10 NCAC 03S .2103	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2104	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2105	12:24 NCR 2194		14:05 NCR 374	*						
10 NCAC 03S .2106	12:24 NCR 2194		14:05 NCR 374	*						
Health Services, Commission for										
15A NCAC 16A .1104	13:14 NCR 1114		14:01 NCR 12	*	Object	10/04/99				
15A NCAC 16A .1106	13:14 NCR 1114		14:01 NCR 12	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0401	13:11 NCR 855	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0401	13:22 NCR 1818	13:24 NCR 2034	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0401	14:06 NCR 483	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 19A .0404	13:11 NCR 855		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0404	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0406	13:11 NCR 855		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0406	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 19A .0502	13:11 NCR 855	13:13 NCR 1059	13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 19A .0502	13:22 NCR 1818		13:24 NCR 2004	*	Approve	10/04/99	*		14:10 NCR 839	
15A NCAC 21F .1201	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1202	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1203	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21F .1204	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21H .0110	12:20 NCR 1822		13:07 NCR 591	S	Extended Rev. Agency Withdrew Approve	01/21/99 02/02/99 01/21/99	*		13:22 NCR 1868	
15A NCAC 21H .0111	12:20 NCR 1822		13:07 NCR 591	S	Approve	01/21/99			13:22 NCR 1868	
15A NCAC 21H .0113	12:20 NCR 1822		13:07 NCR 591	*	Approve	01/21/99				
15A NCAC 21H .0314	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 21 I .0102	14:04 NCR 272									
15A NCAC 21 I .0103	14:04 NCR 272									
15A NCAC 21J .0102	14:04 NCR 272									

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15A NCAC 21 J .0103	14:04 NCR 272									
15A NCAC 23 .0201	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0202	13:22 NCR 1820	13:18 NCR 1555	14:02 NCR 80	S/L	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0204	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 23 .0501	13:22 NCR 1820		14:02 NCR 80	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 24A .0402	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*	Approve	10/04/99			14:10 NCR 839	
15A NCAC 24A .0403	14:03 NCR 126	14:06 NCR 483	14:10 NCR 767	*						
15A NCAC 26C	13:22 NCR 1820									
15A NCAC 26C .0101	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0102	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0103	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0104	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0105	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0106	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
15A NCAC 26C .0107	13:22 NCR 1820		14:01 NCR 12	*	Approve	11/17/99	*			
Medical Assistance										
10 NCAC 26B .0113	14:01 NCR 4	14:04 NCR 319								
10 NCAC 26D .0101	14:09 NCR 687	14:09 NCR 687								
10 NCAC 26D .0110	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 26H .0101	11:14 NCR 1108									
10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0212		12:09 NCR 827								
		Temp. Expired 7/31/98								
		12:13 NCR 733								
		14:08 NCR 595								
10 NCAC 26H .0213		11:26 NCR 1997								
10 NCAC 26H .0213		12:09 NCR 827								
		13:08 NCR 733								

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10 NCAC 26H .0304	14:08 NCR 595	14:08 NCR 595	13:08 NCR 668	S/L	Object	12/17/98	*		13:22 NCR 1868	
10 NCAC 26H .0304		14:05 NCR 394			Approve	01/21/99				
10 NCAC 26H .0401		13:02 NCR 248	13:12 NCR 947	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 26I .0101	13:02 NCR 175		13:07 NCR 588	*						
10 NCAC 26M .0301		14:04 NCR 319								
10 NCAC 26M .0302		14:04 NCR 319								
10 NCAC 26M .0303		14:04 NCR 319								
10 NCAC 26M .0304		14:04 NCR 319								
10 NCAC 26M .0305		14:04 NCR 319								
10 NCAC 50B .0101	14:07 NCR 545	14:07 NCR 545								
10 NCAC 50B .0102		13:18 NCR 1526	14:10 NCR 750	S/L/SE						
10 NCAC 50B .0202	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 50B .0302	13:02 NCR 175		13:10 NCR 806	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 50B .0305		14:03 NCR 246								
10 NCAC 50B .0311	13:03 NCR 268									
10 NCAC 50B .0311	14:07 NCR 545	14:07 NCR 545								
10 NCAC 50B .0313	13:02 NCR 175		13:10 NCR 806	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 50B .0313		13:18 NCR 1526	14:10 NCR 750	S/L/SE						
10 NCAC 50B .0403	14:07 NCR 545	14:07 NCR 545								
10 NCAC 50B .0408	14:07 NCR 545	14:07 NCR 545								

Medical Care Commission/Secretary of the Department of Health and Human Services

10 NCAC 42B .1201	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1212	14:05 NCR 370	14:10 NCR 799								
10 NCAC 42B .1213	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1214	14:05 NCR 370	14:10 NCR 799								
	14:05 NCR 370	14:08 NCR 606								

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10 NCAC 42B .1215	14:05 NCR 370									
10 NCAC 42B .1407	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1707	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .1803	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .2013	14:05 NCR 370									
10 NCAC 42B .2014	14:05 NCR 370									
10 NCAC 42B .2406		14:10 NCR 799								
10 NCAC 42B .2501	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .2502	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .2503	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42B .2601		14:10 NCR 799								
10 NCAC 42C .2005	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2011	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2012	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2013	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2014	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2015		14:10 NCR 799								
10 NCAC 42C .2207	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2214	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2302	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2501	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2505	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2506	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .2703	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3401	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3402	14:05 NCR 370	14:08 NCR 606								

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10 NCAC 42C .3701	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3703	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3801	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3802	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3803	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3804	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3805	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3806	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3807	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3808	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3809	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3810	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3901	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3902	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .3903	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42C .4001		14:10 NCR 799								
10 NCAC 42D .1301	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1302	14:05 NCR 370	14:10 NCR 799								
10 NCAC 42D .1303		14:08 NCR 606								
10 NCAC 42D .1303	14:05 NCR 370	14:10 NCR 799								
10 NCAC 42D .1304		14:08 NCR 606								
10 NCAC 42D .1401	14:05 NCR 370	14:10 NCR 799								
10 NCAC 42D .1402	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1407	14:05 NCR 370	14:08 NCR 606								
		14:10 NCR 799								
10 NCAC 42D .1410	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1411	14:05 NCR 370	14:08 NCR 606								

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10 NCAC 42D .1412	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1413	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1414	14:05 NCR 370	14:10 NCR 799								
10 NCAC 42D .1415	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1416	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1503	14:05 NCR 370	14:10 NCR 799								
10 NCAC 42D .1605	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1804	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1813	14:05 NCR 370									
10 NCAC 42D .1821	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1831		14:10 NCR 799								
10 NCAC 42D .1832	14:05 NCR 370									
10 NCAC 42D .1833	14:05 NCR 370									
10 NCAC 42D .1901	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1902	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1903	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1904	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1905	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1906	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1907	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1908	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1909	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .1910	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2001	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2002	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2003	14:05 NCR 370	14:08 NCR 606								

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10 NCAC 42D .2004	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2005	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2006	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2007	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2008	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2009	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2010	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2011	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2101	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2102	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2201	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2202	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2203	14:05 NCR 370	14:08 NCR 606								
10 NCAC 42D .2301		14:10 NCR 799								
Mental Health, Developmental Disabilities and Substance Abuse Services										
10 NCAC 14V .0802	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0803	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0804	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .0805	12:20 NCR 1820	13:22 NCR 1853	13:22 NCR 1853	*						
10 NCAC 14V .3600	14:07 NCR 518									
10 NCAC 14V .3800	12:20 NCR 1820									
10 NCAC 14V .4000	12:20 NCR 1820									
10 NCAC 14V .4301	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99	*		13:22 NCR 1868	
10 NCAC 14V .4302	12:19 NCR 1762		13:07 NCR 586	*	Object	01/21/99				
10 NCAC 14V .4303	12:19 NCR 1762		13:07 NCR 586	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 14V .4304	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	
10 NCAC 14V .4305	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99	*		13:22 NCR 1868	
			13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	

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10 NCAC 14V .4306	12:19 NCR 1762		13:07 NCR 586	*	Approve	01/21/99			13:22 NCR 1868	
10 NCAC 14V .5000	12:20 NCR 1820									
10 NCAC 45G .0410	13:23 NCR 1947	13:23 NCR 1947	14:09 NCR 659	*						
10 NCAC 45H .0205	11:19 NCR 1762	12:24 NCR 2223 Temp Expired 03/12/99	13:05 NCR 487	*	Approve	11/17/99				
Secretary of Health and Human Services										
10 NCAC 14V .7000	14:07 NCR 518									
10 NCAC 14V .7006		12:01 NCR 31 Temp Expired 03/28/98	12:07 NCR 511	*						
10 NCAC 14V .7201	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7202	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7203	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7204	13:05 NCR 436		13:13 NCR 1042	*						
10 NCAC 14V .7205	13:05 NCR 436		13:13 NCR 1042	*						
Social Services Commission										
10 NCAC 24	14:06 NCR 427									
10 NCAC 29C .0103		13:06 NCR 566	13:19 NCR 1611	*	Approve	07/15/99			14:06 NCR 490	
10 NCAC 29C .0201	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0201	14:12 NCR 1036	14:12 NCR 1036								
10 NCAC 29C .0202	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0202	14:12 NCR 1036	14:12 NCR 1036								
10 NCAC 29C .0203	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0204	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0205	14:10 NCR 798	14:10 NCR 798								
10 NCAC 29C .0206	14:10 NCR 798	14:10 NCR 798								
10 NCAC 41E .0401	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0403	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0404	12:11 NCR 919		13:05 NCR 438	*						

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10 NCAC 41E .0405	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0406	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0501	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0502	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0503	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0504	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0505	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0506	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0507	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0508	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0509	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0510	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0511	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0512	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0513	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0514	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0515	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0516	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0517	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41E .0518	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
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10 NCAC 41E .0601	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0602	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0603	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0604	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0605	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0606	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0701	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0702	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0703	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0704	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0501	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0502	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0504	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0505	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0506	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0507	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0508	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0509	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0510	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0511	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0512	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41G .0513	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0601	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0602	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0604	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0605	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0606	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0701	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0702	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0703	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0704	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0705	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0706	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0707	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0708	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0801	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0802	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0803	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0804	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0805	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						

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10 NCAC 41G .0806	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0807	12:11 NCR 919		13:11 NCR 857	*						
10 NCAC 41G .0808	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0809	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0902	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1001	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1002	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1004	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1005	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1006	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1007	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1008	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1009	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1010	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1011	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1012	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1013	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1101	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1102	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1103	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1104	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41G .1105	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1106	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
13:11 NCR 857			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1202	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1204	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1205	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
13:11 NCR 857			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1206	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
13:11 NCR 857			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1207	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1208	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
13:11 NCR 857			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1301	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1302	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
13:11 NCR 857			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1303	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1304	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
13:11 NCR 857			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1305	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1306	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
13:11 NCR 857			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1307	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1308	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
13:11 NCR 857			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1309	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
13:05 NCR 438			13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1402	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41H	14:10 NCR 742									
10 NCAC 41I .0102	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 41P	14:10 NCR 742									
10 NCAC 41R .0101	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0102	12:11 NCR 919		13:11 NCR 857	*						
10 NCAC 41R .0103	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0104	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0105	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0106	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0107	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0101	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*	Object	02/18/99				
			13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0102	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0202	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0204	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0301	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0302	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0303	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0304	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0305	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
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10 NCAC 41S .0306	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0307	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0401	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0402	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0403	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0404	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0405	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0406	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0407	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0501	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0502	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0503	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0504	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0505	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0601	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0602	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0604	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41S .0605	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
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10 NCAC 41S .0606	12:11 NCR 919		13:05 NCR 438	*						
10 NCAC 41S .0607	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0608	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0609	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0610	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0611	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0612	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0613	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0613	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0613	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0614	12:11 NCR 919	14:04 NCR 321	13:05 NCR 438	*						
10 NCAC 41S .0615	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0701	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0702	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0703	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0704	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0705	12:11 NCR 919		13:05 NCR 438	*	Object	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0706	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0707	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0708	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0709	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
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10 NCAC 41S .0710	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0711	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0712	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0713	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0101	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0102	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41T .0103	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0104	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41T .0105	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0106	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0202	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41T .0204	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41T .0205	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41T .0206	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 42A .0801	14:06 NCR 427	14:08 NCR 602	13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 42A .0802	14:06 NCR 427	14:08 NCR 602	13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 42A .0803	14:06 NCR 427	14:08 NCR 602	13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 42A .0804	14:06 NCR 427	14:08 NCR 602	13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 42A .0805	14:06 NCR 427	14:08 NCR 602	13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 42A .0806	14:06 NCR 427	14:08 NCR 602	13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	

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					Action	Date				
10 NCAC 42A .0807	14:06 NCR 427	14:08 NCR 602								
10 NCAC 42A .0808	14:06 NCR 427	14:08 NCR 602								
10 NCAC 42A .0809	14:06 NCR 427	14:08 NCR 602								
10 NCAC 42A .0810	14:06 NCR 427	14:08 NCR 602								
10 NCAC 42E	14:10 NCR 742									
10 NCAC 42E .0801	14:06 NCR 427	14:08 NCR 642								
10 NCAC 42E .1501	14:06 NCR 427	14:08 NCR 642								
10 NCAC 42E .1502	14:06 NCR 427	14:08 NCR 642								
10 NCAC 42V .0108	14:06 NCR 427	14:08 NCR 642								
10 NCAC 42Z	14:10 NCR 742									
10 NCAC 42Z .1001	14:06 NCR 427	14:08 NCR 642								
10 NCAC 43L .0401	14:12 NCAC 1036	14:12 NCR 1036								
10 NCAC 47B .0103	14:07 NCR 519	14:08 NCR 602								
10 NCAC 47B .0204	14:07 NCR 519	14:08 NCR 602								
10 NCAC 47B .0407	14:07 NCR 519	14:08 NCR 602								
Vocational Rehabilitation Services										
10 NCAC 20A .0101	14:07 NCR 519									
10 NCAC 20A .0102	14:07 NCR 519									
10 NCAC 20B .0102	14:07 NCR 519									
10 NCAC 20B .0103	14:07 NCR 519									
10 NCAC 20B .0105	14:07 NCR 519									
10 NCAC 20B .0108	14:07 NCR 519									
10 NCAC 20B .0201	14:07 NCR 519									
10 NCAC 20B .0202	14:07 NCR 519									
10 NCAC 20B .0203	14:07 NCR 519									
10 NCAC 20B .0204	14:07 NCR 519									
10 NCAC 20B .0206	14:07 NCR 519									

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10 NCAC 20B .0208	14:07 NCR 519									
10 NCAC 20B .0210	14:07 NCR 519									
10 NCAC 20B .0217	14:07 NCR 519									
10 NCAC 20B .0224		13:17 NCR 1379	14:05 NCR 392	*						
10 NCAC 20B .0225	14:07 NCR 519									
10 NCAC 20B .0228		13:17 NCR 1379	14:05 NCR 392	*						
10 NCAC 20C .0101	14:07 NCR 519									
10 NCAC 20C .0120	14:07 NCR 519									
10 NCAC 20C .0122	14:07 NCR 519									
10 NCAC 20C .0123	14:07 NCR 519									
10 NCAC 20C .0201	14:07 NCR 519									
10 NCAC 20C .0202	14:07 NCR 519									
10 NCAC 20C .0203	14:07 NCR 519									
10 NCAC 20C .0204	14:07 NCR 519									
10 NCAC 20C .0205	14:07 NCR 519									
10 NCAC 20C .0206	14:07 NCR 519									
10 NCAC 20C .0301	14:07 NCR 519									
10 NCAC 20C .0302	14:07 NCR 519									
10 NCAC 20C .0303	14:07 NCR 519									
10 NCAC 20C .0304	14:07 NCR 519									
10 NCAC 20C .0305	14:07 NCR 519									
10 NCAC 20C .0306	14:07 NCR 519									
10 NCAC 20C .0307	14:07 NCR 519									
10 NCAC 20C .0308	14:07 NCR 519									
10 NCAC 20C .0310	14:07 NCR 519									
10 NCAC 20C .0311	14:07 NCR 519									
10 NCAC 20C .0313	14:07 NCR 519									

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					Action	Date				
10 NCAC 20C .0314	14:07 NCR 519									
10 NCAC 20C .0315	14:07 NCR 519									
10 NCAC 20C .0316	14:07 NCR 519									
10 NCAC 20C .0401	14:07 NCR 519									
10 NCAC 20C .0408	14:07 NCR 519									
10 NCAC 20C .0502	14:07 NCR 519									
10 NCAC 20C .0601	14:07 NCR 519									
10 NCAC 20C .0603	14:07 NCR 519									
10 NCAC 20C .0604	14:07 NCR 519									
10 NCAC 20D .0101	14:07 NCR 519									
10 NCAC 20D .0201	14:07 NCR 519									
10 NCAC 20D .0301	14:07 NCR 519									
HOUSING FINANCE AGENCY										
24 NCAC 01H .0103	13:22 NCR 1822		14:02 NCR 82	*	Agcy Withdrew	10/04/99				
INSURANCE										
11 NCAC 04	14:12 NCR 957									
11 NCAC 06B .0201	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0202	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0203	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0204	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0205	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0301	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0302	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0303	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0304	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0401	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0402	12:09 NCR 744		14:10 NCR 752	*						

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11 NCAC 06B .0403	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0404	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 06B .0405	12:09 NCR 744		14:10 NCR 752	*						
11 NCAC 10 .0105	14:10 NCR 809	14:10 NCR 809								
11 NCAC 10 .1110	14:10 NCR 809	14:10 NCR 809								
11 NCAC 11F .0401	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0402	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0403	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0404	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0405	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0501	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0502	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0503	14:10 NCR 811	14:10 NCR 811								
11 NCAC 11F .0504	14:10 NCR 811	14:10 NCR 811								
11 NCAC 12	14:12 NCR 957									
11 NCAC 12 .0308	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .0327	14:12 NCR 1038	14:12 NCR 1038								
11 NCAC 12 .1025	N/A		N/A		Approve	10/04/99			14:10 NCR 839	
11 NCAC 12 .1701	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .1702	14:02 NCR 78		14:06 NCR 433	*	Approve	11/17/99				
11 NCAC 12 .1702	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .1703	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .1707	14:10 NCR 819	14:10 NCR 819								
11 NCAC 12 .1709	14:10 NCR 819	14:10 NCR 819								
11 NCAC 13 .0317	14:10 NCR 822	14:10 NCR 822								
11 NCAC 13 .0318	14:10 NCR 822	14:10 NCR 822								
11 NCAC 13 .0324	14:10 NCR 822	14:10 NCR 822								

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					Action	Date				
11 NCAC 13 .0326	14:10 NCR 822	14:10 NCR 822								
11 NCAC 13 .0406	14:10 NCR 822	14:10 NCR 822								
11 NCAC 13 .0514	14:02 NCR 78		14:06 NCR 433	*	Approve	11/17/99				
11 NCAC 13 .0518	14:02 NCR 78		14:06 NCR 433	*	Approve	11/17/99				
11 NCAC 18	14:12 NCR 957									
Home Inspector Licensure Board										
11 NCAC 08 .0900	14:12 NCR 957									
11 NCAC 08 .1103	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1105	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1106	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1107	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1116	14:08 NCR 577		14:12 NCR 959	*						
11 NCAC 08 .1300	14:08 NCR 577									
JUSTICE										
Criminal Justice Education and Training Standards Commission										
12 NCAC 09A .0103	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
12 NCAC 09B .0106	N/A		N/A	N/A	Approve	10/04/99			14:10 NCR 839	
12 NCAC 09B .0107	13:14 NCR 1110		13:19 NCR 1611	*	Ext. Review Return to Agcy	06/17/99 07/15/99				
					Approve	10/04/99			14:10 NCR 839	
					Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0109	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0110	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0112	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0113	13:14 NCR 1110		13:19 NCR 1611	*	Ext. Review Return to Agcy	06/17/99 07/15/99				
					Approve	10/04/99			14:10 NCR 839	
					Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0115	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agcy	06/17/99 07/15/99				
12 NCAC 09B .0201	13:14 NCR 1110		13:19 NCR 1611	*	Approve	10/04/99	*		14:10 NCR 839	

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					Action	Date				
12 NCAC 09B .0202	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0203	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0204	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0205	13:14 NCR 1110		13:19 NCR 1611	S/L	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0206	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0207	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:05 NCR 402	
12 NCAC 09B .0208	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:05 NCR 402	
12 NCAC 09B .0226	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0227	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0228	13:14 NCR 1110		13:19 NCR 1611	S	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0232	13:14 NCR 1110		13:19 NCR 1611	S	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0233	13:14 NCR 1110		13:19 NCR 1611	S	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0302	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	
12 NCAC 09B .0303	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:05 NCR 402	
12 NCAC 09B .0304	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:05 NCR 402	
12 NCAC 09B .0305	13:14 NCR 1110		13:19 NCR 1611	*	Object	06/17/99				
					Return to Agency	07/15/99				
					Approve	10/04/99	*		14:10 NCR 839	

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12 NCAC 09B .0312	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0403	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0404	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0405	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0406	13:14 NCR 1110		13:19 NCR 1611	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0407	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09B .0414	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 09B .0415	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09C .0211	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 09C .0212	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency Approve	06/17/99 07/15/99 10/04/99	*		14:10 NCR 839	
12 NCAC 09C .0213	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency Approve	06/17/99 07/15/99 10/04/99	*		14:10 NCR 839	
12 NCAC 09C .0403	13:14 NCR 1110		13:19 NCR 1611	*	Object Return to Agency Approve	06/17/99 07/15/99 10/04/99	*		14:10 NCR 839	
12 NCAC 09E .0107	13:14 NCR 1110		13:19 NCR 1611	*	Approve	06/17/99			14:05 NCR 402	
Sheriffs' Education and Training Standards Commission										
12 NCAC 10B .0103	13:14 NCR 1110		13:19 NCR 1637	S	Object Return to Agency Approve	06/17/99 07/15/99 11/17/99	*		14:05 NCR 402	
12 NCAC 10B .0302	14:12 NCR 957									
12 NCAC 10B .0303	14:12 NCR 957									
12 NCAC 10B .0502	13:14 NCR 1110		13:19 NCR 1637	L	Object Approve	06/17/99 11/17/99	*		14:05 NCR 402	
12 NCAC 10B .0505	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0506	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0507	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0508	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0509	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	

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12 NCAC 10B .0601	13:14 NCR 1110		13:19 NCR 1637	S/L	Object	06/17/99				
12 NCAC 10B .0606	13:14 NCR 1110				Approve	11/17/99	*			
12 NCAC 10B .0607	13:14 NCR 1110									
12 NCAC 10B .0703	13:14 NCR 1110		13:19 NCR 1637	S/L	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .0908	13:14 NCR 1110		13:19 NCR 1637	S/L	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .0909	14:12 NCR 957									
12 NCAC 10B .1002	13:14 NCR 1110		13:19 NCR 1637	*	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1401	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99			14:05 NCR 402	
12 NCAC 10B .1402	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1403	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1404	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1405	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99	*		14:05 NCR 402	
12 NCAC 10B .1406	13:14 NCR 1110		13:19 NCR 1637	S	Approve	06/17/99			14:05 NCR 402	

LABOR

13 NCAČ 01A .0100	14:07 NCR 519
13 NCAC 01B .0100	14:07 NCR 519
13 NCAC 01B .0200	14:07 NCR 519
13 NCAC 01B .0300	14:07 NCR 519
13 NCAC 01B .0400	14:07 NCR 519
13 NCAC 01B .0500	14:07 NCR 519
13 NCAC 01B .0600	14:07 NCR 519
13 NCAC 01C .0100	14:07 NCR 519
13 NCAC 01C .0200	14:07 NCR 519
13 NCAC 01C .0300	14:07 NCR 519
13 NCAC 01C .0400	14:07 NCR 519
13 NCAC 01C .0500	14:07 NCR 519

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					Action	Date				

*Verbatim Adoption Federal Standards

13 NCAC 07A .0401 14-02 NCR 78 14:12 NCR 961 *

13 NCAC 07F 11-03 NCR 106

13 NCAC 07F .0101 14-02 NCR 78

13 NCAC 07F .0201 11-03 NCR 106

13 NCAC 07F .0201 14-02 NCR 78

13 NCAC 07F .0301 11-03 NCR 106

13 NCAC 07F .0410 14-02 NCR 78

13 NCAC 07F .0601 13-02 NCR 176

13 NCAC 07F .0602 13-02 NCR 176

13 NCAC 07F .0603 13-02 NCR 176

13 NCAC 07F .0604 13-02 NCR 176

13 NCAC 07F .0605 13-02 NCR 176

13 NCAC 07F .0606 13-02 NCR 176

Retaliatory Employment Discrimination

13 NCAC 19 .0101 N/A

Wage and Hour Division

13 NCAC 12 .0501 13-03 NCR 268

13 NCAC 12 .0801 13-03 NCR 268

13 NCAC 12 .0802 13-03 NCR 268

LANDSCAPE ARCHITECTS, BOARD OF

21 NCAC 26 .0101 14-05 NCR 373

21 NCAC 26 .0104 12-08 NCR 730

21 NCAC 26 .0104 14-05 NCR 373

21 NCAC 26 .0105 12-08 NCR 730

21 NCAC 26 .0105 14-05 NCR 373

21 NCAC 26 .0302 12-08 NCR 730

14:12 NCR 1015 *

Temp Expired 07/12/98

14:12 NCR 1015 *

Temp Expired 07/12/98

14:12 NCR 1015 *

Temp Expired 07/12/98

Approve 08/19/99

14-09 NCR 708

14:07 NCR 517

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					Action	Date				
21 NCAC 26 .0302	14:05 NCR 373		14:12 NCR 1015	*						
21 NCAC 26 .0506		12:08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26 .0507		12:08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26 .0508		12:08 NCR 730	Temp Expired 07/12/98							
21 NCAC 26 .0509		12:08 NCR 730	Temp Expired 07/12/98							
MEDICAL BOARD										
21 NCAC 32	13:06 NCR 538									
21 NCAC 32B	11:18 NCR 1369									
21 NCAC 32B	12:04 NCR 245									
21 NCAC 320 .0118	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 320 .0119	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 320 .0120	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 320 .0121	11:18 NCR 1369		13:08 NCR 709	*						
21 NCAC 32R .0101	14:03 NCR 127									
21 NCAC 32R .0102	14:03 NCR 127									
21 NCAC 32R .0103	14:03 NCR 127									
21 NCAC 32R .0104	14:03 NCR 127									
MIDWIFERY JOINT COMMITTEE										
21 NCAC 33 .0102	14:12 NCR 958									
21 NCAC 33 .0106	14:12 NCR 958									
MORTUARY SCIENCE, BOARD OF										
21 NCAC 34C	12:09 NCR 745									
MUNICIPAL INCORPORATIONS PETITION										
NURSING, BOARD OF										
21 NCAC 36 .0213	13:22 NCR 1821		14:02 NCR 82	*	Approve	11/17/99				
21 NCAC 36 .0220	14:07 NCR 521		14:12 NCR 1016	*						
21 NCAC 36 .0221	14:07 NCR 521		14:12 NCR 1016	*						

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21 NCAC 36 .0227	14:07 NCR 521		14:12 NCR 1016	*						
21 NCAC 36 .0318	14:07 NCR 521		14:12 NCR 1016	*						
21 NCAC 36 .0404	14:07 NCR 521		14:12 NCR 1016	*						
21 NCAC 36 .0405	14:07 NCR 521		14:12 NCR 1016	*						
21 NCAC 36 .0701	14:07 NCR 521		14:12 NCR 1016	*						
21 NCAC 36 .0702	14:07 NCR 521		14:12 NCR 1016	*						
21 NCAC 36 .0703	14:07 NCR 521		14:12 NCR 1016	*						
21 NCAC 36 .0704	14:07 NCR 521		14:12 NCR 1016	*						
21 NCAC 36 .0705	14:07 NCR 521		14:12 NCR 1016	*						
NURSING HOME ADMINISTRATORS, BOARD OF EXAMINERS FOR										
21 NCAC 37D .0202		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37D .0302	14:08 NCR 578									
21 NCAC 37D .0303	14:08 NCR 578									
21 NCAC 37D .0403	14:08 NCR 578									
21 NCAC 37D .0502	14:08 NCR 578									
21 NCAC 37D .0504	14:08 NCR 578									
21 NCAC 37D .0605	14:08 NCR 578									
21 NCAC 37D .0701	14:08 NCR 578									
21 NCAC 37E .0101	14:08 NCR 578									
21 NCAC 37E .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37E .0102	14:08 NCR 578									
21 NCAC 37F .0101	14:08 NCR 578									
21 NCAC 37F .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37F .0102	14:08 NCR 578									
21 NCAC 37G .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37G .0201		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37G .0201	14:08 NCR 578									

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21 NCAC 37G .0202	14:08 NCR 578									
21 NCAC 37H .0102		14:05 NCR 398	14:09 NCR 684	*						
21 NCAC 37H .0102	14:08 NCR 578									
21 NCAC 37H .0104	14:08 NCR 578									
21 NCAC 37I .0101	14:08 NCR 578									
PHARMACY, BOARD OF										
21 NCAC 46 .1317	13:22 NCR 1821									
21 NCAC 46 .1413	13:22 NCR 1821		14:06 NCR 480	*	Approve	11/17/99	*			
21 NCAC 46 .1414	13:22 NCR 1821									
21 NCAC 46 .1508	13:22 NCR 1821		14:06 NCR 480	*	Approve	11/17/99	*			
21 NCAC 46 .1601	13:22 NCR 1821									
21 NCAC 46 .1804	12:03 NCR 168		12:07 NCR 527	*						
			12:09 NCR 797	*						
			13:02 NCR 246	SE	State Budget	03/20/98				
					Object	12/17/98				
					Object	02/18/99				
					Object	04/15/99				
					Approve	05/20/99	*		14:04 NCR 330	
21 NCAC 46 .1810	13:22 NCR 1821		14:06 NCR 480	*						
21 NCAC 46 .1813	13:22 NCR 1821									
21 NCAC 46 .1814	13:22 NCR 1821		14:06 NCR 480	*						
21 NCAC 46 .1815		13:11 NCR 910	13:22 NCR 1848	*						
			13:24 NCR 2016	*						
21 NCAC 46 .1816	13:22 NCR 1821		14:06 NCR 480	*	Approve	08/19/99	*		14:09 NCR 708	
21 NCAC 46 .2306	12:24 NCR 2203		13:04 NCR 419	*	Object	11/19/98				
21 NCAC 46 .2506	12:24 NCR 2203		13:04 NCR 419	*	Object	12/17/98				
PHYSICAL THERAPY EXAMINERS										
21 NCAC 48F .0102	14:06 NCR 489	14:06 NCR 489	14:10 NCR 771	*						
PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF										
21 NCAC 50 .0106	12:07 NCR 509									
21 NCAC 50 .0202	12:07 NCR 509									

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21 NCAC 50 .0301	14:06 NCR 429									
21 NCAC 50 .0304	14:06 NCR 429									
21 NCAC 50 .0306	14:06 NCR 429									
21 NCAC 50 .0310	14:06 NCR 429									
21 NCAC 50 .0402	14:06 NCR 429									
21 NCAC 50 .0404	14:06 NCR 429									
21 NCAC 50 .0406	14:06 NCR 429									
21 NCAC 50 .0407	14:06 NCR 429									
21 NCAC 50 .0412	14:06 NCR 429									
21 NCAC 50 .0501	14:10 NCR 749									
21 NCAC 50 .0505	14:06 NCR 429									
21 NCAC 50 .0506	12:07 NCR 509	12:07 NCR 557	Temp Expired 06/28/98							
21 NCAC 50 .0506	14:06 NCR 429									
21 NCAC 50 .0508	14:06 NCR 429									
21 NCAC 50 .1004	14:10 NCR 749									
21 NCAC 50 .1006	14:10 NCR 749									
21 NCAC 50 .1101	14:06 NCR 429									
21 NCAC 50 .1102	14:06 NCR 429									
21 NCAC 50 .1201	14:06 NCR 429									
21 NCAC 50 .1202	14:06 NCR 429									
21 NCAC 50 .1203	14:06 NCR 429									
21 NCAC 50 .1204	14:06 NCR 429									
21 NCAC 50 .1205	14:06 NCR 429									
21 NCAC 50 .1206	12:07 NCR 509									
21 NCAC 50 .1206	14:06 NCR 429									
21 NCAC 50 .1207	14:06 NCR 429									
21 NCAC 50 .1208	14:06 NCR 429									

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21 NCAC 50 .1209	14:06 NCR 429									
21 NCAC 50 .1210	14:06 NCR 429									
21 NCAC 50 .1211	14:06 NCR 429									
21 NCAC 50 .1212	14:06 NCR 429									
21 NCAC 50 .1213	14:06 NCR 429									
21 NCAC 50 .1214	14:06 NCR 429									
21 NCAC 50 .1302	12:07 NCR 509									
PSYCHOLOGY BOARD										
21 NCAC 54 .1611	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .1901	13:21 NCR 1784									
21 NCAC 54 .2006	12:05 NCR 338									
21 NCAC 54 .2010	12:05 NCR 338									
21 NCAC 54 .2104	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2301	12:05 NCR 338									
21 NCAC 54 .2302	12:05 NCR 338									
21 NCAC 54 .2303	12:05 NCR 338									
21 NCAC 54 .2304	12:05 NCR 338									
21 NCAC 54 .2305	12:05 NCR 338									
21 NCAC 54 .2306	12:05 NCR 338									
21 NCAC 54 .2307	12:05 NCR 338									
21 NCAC 54 .2308	12:05 NCR 338									
21 NCAC 54 .2309	12:05 NCR 338									
21 NCAC 54 .2310	12:05 NCR 338									
21 NCAC 54 .2311	12:05 NCR 338									
21 NCAC 54 .2312	12:05 NCR 338									
21 NCAC 54 .2313	12:05 NCR 338									
21 NCAC 54 .2314	12:05 NCR 338									

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					Action	Date				
21 NCAC 54 .2401	12:05 NCR 338									
21 NCAC 54 .2402	12:05 NCR 338									
21 NCAC 54 .2501	12:05 NCR 338									
21 NCAC 54 .2502	12:05 NCR 338									
21 NCAC 54 .2503	12:05 NCR 338									
21 NCAC 54 .2504	12:05 NCR 338									
21 NCAC 54 .2505	12:05 NCR 338									
21 NCAC 54 .2601	12:05 NCR 338									
21 NCAC 54 .2602	12:05 NCR 338									
21 NCAC 54 .2704	12:05 NCR 338		13:13 NCR 1050	*	Approve	11/17/99	*			
21 NCAC 54 .2706	12:05 NCR 338		13:13 NCR 1050	*	Approve	11/17/99	*			
21 NCAC 54 .2801	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2802	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2803	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2804	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2805	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2806	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2807	12:05 NCR 338		13:13 NCR 1050	*						
PUBLIC EDUCATION										
16 NCAC 06B .0108		13:13 NCR 1061	13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06C .0100	14:06 NCR 428									
16 NCAC 06C .0102			13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0103	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0200	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0202	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0205	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				

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16 NCAC 06C .0205			13:24 NCR 2008	*						
16 NCAC 06C .0206			13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0207	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0300	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0301			13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0302	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0303	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0304	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0305	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0306	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0307	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0308	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0309	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0311	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0312	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0313	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0400	14:06 NCR 428		13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06C .0402	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06C .0501		14:11 NCR 910	13:18 NCR 1503	*	Object	07/15/99			14:09 NCR 708	
16 NCAC 06D .0103		12:22 NCR 2010	13:18 NCR 1503	*	Approve	08/19/99	*		14:06 NCR 490	
16 NCAC 06D .0103		Temp Expired 02/09/99			Approve	07/15/99	*			
16 NCAC 06D .0210		13:24 NCR 2008		S	Approve	10/04/99				
		13:18 NCR 1503		*	Approve	07/15/99	*		14:06 NCR 490	

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16 NCAC 06D .0301			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0302			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0303			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06D .0304			13:24 NCR 2008	S	Approve	10/04/99				
16 NCAC 06D .0305			13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06D .0501			13:24 NCR 2008	S	Approve	10/04/99	*			
16 NCAC 06D .0502			13:24 NCR 2008	S	Approve	10/04/99				
16 NCAC 06D .0503			13:24 NCR 2008	S	Object	10/04/99	*			
16 NCAC 06D .0504			13:24 NCR 2008	S	Approve	11/17/99				
16 NCAC 06D .0505			13:24 NCR 2008	S	Object	10/04/99	*			
16 NCAC 06D .0506			13:24 NCR 2008	S	Approve	11/17/99	*			
16 NCAC 06D .0507			13:24 NCR 2008	S	Approve	10/04/99	*			
16 NCAC 06E .0202	14:06 NCR 428		13:18 NCR 1503	*	Approve	10/04/99				
16 NCAC 06E .0301	13:05 NCR 523		14:12 NCR 998	*	Approve	10/04/99	*			
16 NCAC 06E .0301			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0202			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0308			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0309			13:18 NCR 1503	*	Approve	07/15/99			14:06 NCR 490	
16 NCAC 06G .0311		12:22 NCR 2010 Temp Expired 02/09/99	13:18 NCR 1503	*	Approve	07/15/99	*		14:06 NCR 490	
16 NCAC 06G .0502			13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06H .0101	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06H .0101	N/A		13:18 NCR 1503	N/A	Approve	10/04/99				
16 NCAC 06H .0103			13:18 NCR 1503	*	Return to Agcy	07/15/99				
16 NCAC 06H .0105	14:06 NCR 428		14:12 NCR 998	*	Return to Agcy	07/15/99				
16 NCAC 06H .0105	N/A		13:18 NCR 1503	N/A	Approve	10/04/99				
16 NCAC 06H .0106			N/A	*	Return to Agcy	07/15/99				
			13:18 NCR 1503	*	Return to Agcy	07/15/99				

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16 NCAC 06H .0107	14:06 NCR 428		14:12 NCR 998	*						
16 NCAC 06H .0107	14:06 NCR 428		13:18 NCR 1503	*						
16 NCAC 06H .0107	N/A		N/A	N/A						
16 NCAC 06H .0108			13:18 NCR 1503	*						
16 NCAC 06H .0108	N/A		N/A	N/A						
16 NCAC 06H .0109			13:18 NCR 1503	*						
16 NCAC 06H .0109	N/A		N/A	N/A						
16 NCAC 06H .0110			13:18 NCR 1503	*						
REAL ESTATE COMMISSION										
21 NCAC 58A .0107	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0109	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0110	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0113	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0114	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0301	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0302	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0303	14:06 NCR 429		14:10 NCR 772	S						
21 NCAC 58A .0304	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0401	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0402	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0403	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0404	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0406	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0503	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0505	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .0601	14:06 NCR 429		14:10 NCR 772	*						

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21 NCAC 58A .0615	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1402	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1703	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58A .1708	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58B .0101	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58B .0102	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0105	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0106	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0107	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0108	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0207	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0213	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0214	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0217	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0218	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0220	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0302	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0304	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0305	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0306	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0307	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0310	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0312	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0601	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0602	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0603	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0604	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0605	14:06 NCR 429		14:10 NCR 772	*						

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21 NCAC 58C .0606	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0607	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58C .0608	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0102	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0202	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0204	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0205	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0304	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0310	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0412	14:06 NCR 429		14:10 NCR 772	*						
21 NCAC 58E .0515	14:06 NCR 429		14:10 NCR 772	*						
REFRIGERATION EXAMINERS, BOARD OF										
21 NCAC 60 .0102	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .0207	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .0311	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .0316	14:08 NCR 579		14:12 NCR 1028	*						
21 NCAC 60 .1102	14:08 NCR 579		14:12 NCR 1028	*						
REVENUE										
17 NCAC 04B .0102	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0104	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0105	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0106	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0107	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0302	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0306	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0308	N/A		13:08 NCR 690	N/A						

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					Action	Date				
17 NCAC 04B .0309	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0310	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0311	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0312	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0403	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0405	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .2902	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4302	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0102	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0103	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0201	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0202	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0203	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0302	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0703	N/A		13:08 NCR 690	N/A						
17 NCAC 04F .0005	N/A		13:08 NCR 690	N/A						
17 NCAC 05C .0102			12:14 NCR 1285	*						
17 NCAC 05C .0703			12:14 NCR 1285	*						
17 NCAC 06B .0105	N/A		13:08 NCR 694	N/A						
17 NCAC 06B .0118	N/A		13:09 NCR 762	N/A						
					Object	12/17/98				
					Object	03/18/99				
					Approve	04/15/99			14:02 NCR 84	
							*			
17 NCAC 07B .0124	N/A		13:08 NCR 695	N/A						
17 NCAC 07B .0125	N/A		13:08 NCR 695	N/A						
17 NCAC 07B .2101	N/A		13:09 NCR 767	N/A						
17 NCAC 09K .0601	N/A		13:08 NCR 695	N/A						

Tax Review Board

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14:12 NCR 954

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					Action	Date				
18 NCAC 06 .1212		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*						
18 NCAC 06 .1304		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*						
18 NCAC 06 .1502		13:14 NCR 1151								
		14:08 NCR 645	14:08 NCR 645	*						
18 NCAC 06 .1802		12:07 NCR 534	12:14 NCR 1312	*						
		Temp Expired 06/28/98								
18 NCAC 06 .1803		12:07 NCR 534	12:14 NCR 1312	*						
		Temp Expired 06/28/98								
18 NCAC 10 .0101	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		13:18 NCR 1556								
		14:12 NCR 1046								
18 NCAC 10 .0201	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		13:18 NCR 1556								
		14:12 NCR 1046								
18 NCAC 10 .0301	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		13:18 NCR 1556								
		14:12 NCR 1046								
18 NCAC 10 .0302	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		14:12 NCR 1046								
18 NCAC 10 .0303	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		14:12 NCR 1046								
18 NCAC 10 .0304	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		14:12 NCR 1046								
18 NCAC 10 .0305	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		13:18 NCR 1556								
		14:12 NCR 1046								
18 NCAC 10 .0306		13:18 NCR 1556								Temp Filed over obj
		14:12 NCR 1046								
18 NCAC 10 .0307		14:12 NCR 1046								Temp Filed over obj
		13:18 NCR 1556								
18 NCAC 10 .0308		14:12 NCR 1046								Temp Filed over obj
		13:18 NCR 1556								
18 NCAC 10 .0309		13:18 NCR 1556								Temp Filed over obj
		14:12 NCR 1046								
18 NCAC 10 .0401	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		13:18 NCR 1556								
18 NCAC 10 .0402	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj
		13:18 NCR 1556								
18 NCAC 10 .0501	13:09 NCR 759	13:14 NCR 1153								Temp Filed over obj

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					Action	Date				
18 NCAC 10 .0701		13:18 NCR 1556								Temp Filed over obj
18 NCAC 10 .0801		13:18 NCR 1556								Temp Filed over obj
18 NCAC 10 .0802		14:12 NCR 1046								Temp Filed over obj
18 NCAC 10 .0901		13:18 NCR 1556								Temp Filed over obj
		14:12 NCR 1046								Temp Filed over obj
		13:18 NCR 1556								
		14:12 NCR 1046								
SOCIAL WORK CERTIFICATION AND LICENSURE BOARD										
21 NCAC 63 .0101	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0102	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0103	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0104	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0105	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0201	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0202	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0204	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0205	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0206	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0207	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0208	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0209	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0210	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0211	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0212	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0213	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0301	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0302	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0303	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0304	14:09 NCR 697	14:09 NCR 697								

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21 NCAC 63 .0305	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0306	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0401	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0402	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0403	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0404	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0501	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0503	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0507	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0508	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0509	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0601	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0602	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0603	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0604	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0607	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0609	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0701	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0702	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0703	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0704	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0801	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0802	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0803	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0804	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0805	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0806	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0807	14:09 NCR 697	14:09 NCR 697								

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					Action	Date				
21 NCAC 63 .0808	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0809	14:09 NCR 697	14:09 NCR 697								
21 NCAC 63 .0820	14:09 NCR 697	14:09 NCR 697								
STATE PERSONNEL COMMISSION										
25 NCAC 01B .0354	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01B .0414	13:18 NCR 1560		13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01B .0434	13:18 NCR 1560		13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01B .0437	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*			
					Approve	11/17/99				
25 NCAC 01C .0214	13:18 NCR 1560		13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01D .2516	11:13 NCR 1062		11:19 NCR 1429	*						
	Temp Expired									
25 NCAC 01D .2517	12:09 NCR 835		Temp Expired 07/31/98							
25 NCAC 01H .0602	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01H .0605	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*			
					Approve	11/17/99				
25 NCAC 01H .0606	13:05 NCR 436		13:09 NCR 773	*	Object	10/04/99	*			
					Approve	11/17/99				
25 NCAC 01J .0503	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01J .0506				*	Approve	10/04/99	*		14:10 NCR 839	
	13:18 NCR 1560		13:22 NCR 1850	*	Approve	10/04/99	*			
25 NCAC 01J .0512	13:05 NCR 436		13:09 NCR 773	*						
25 NCAC 01J .0603	13:05 NCR 436		13:09 NCR 773	*	Approve	10/04/99	*		14:10 NCR 839	
25 NCAC 01J .0603		13:18 NCR 1560	13:22 NCR 1850	*	Approve	10/04/99	*		14:10 NCR 839	
SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD										
21 NCAC 68	14:10 NCR 749									
TRANSPORTATION										
Highways, Division of										
19A NCAC 02D .0415	13:08 NCR 626		13:14 NCR 1116	*	Approve	04/15/99			14:02 NCR 84	
19A NCAC 02E .0201	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0202	14:03 NCR 126		14:09 NCR 670	*						

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19A NCAC 02E .0203	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0206	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0207	14:03 NCR 126	14:09 NCR 695	14:09 NCR 695	*						
19A NCAC 02E .0208	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0209	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0210	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0211	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0212	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0213	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0214	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0215	14:03 NCR 126	14:09 NCR 695	14:09 NCR 695	*						
19A NCAC 02E .0221	13:04 NCR 361		13:10 NCR 811	*	Approve	03/18/99	*		14:01 NCR 48	
19A NCAC 02E .0222	13:04 NCR 361		13:10 NCR 811	*	Approve	03/18/99			14:01 NCR 48	
19A NCAC 02E .0224	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0225	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0602	14:03 NCR 126	14:09 NCR 695	14:09 NCR 695	*						
19A NCAC 02E .0603	14:03 NCR 126		14:12 NCR 1012	*						
19A NCAC 02E .0604	14:03 NCR 126		14:09 NCR 670	*						
19A NCAC 02E .0604	14:03 NCR 126		14:09 NCR 670	*						
Motor Vehicles, Division of										
19A NCAC 03D .0801		14:11 NCR 911								
19A NCAC 03G .0203	14:07 NCR 520									
19A NCAC 03G .0205	14:07 NCR 520									
19A NCAC 03G .0206	14:07 NCR 520									
19A NCAC 03G .0207	14:07 NCR 520									
19A NCAC 03G .0209	14:07 NCR 520									
19A NCAC 03G .0213	14:07 NCR 520									
19A NCAC 031 .0207	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	

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19A NCAC 031.0301	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031.0302	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031.0307	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99			14:09 NCR 708	
19A NCAC 031.0401	13:16 NCR 1258		13:22 NCR 1843	*	Approve	08/19/99	*		14:06 NCR 490	
19A NCAC 031.0402	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99				
19A NCAC 031.0501	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99	*		14:09 NCR 708	
19A NCAC 031.0601	13:16 NCR 1258		13:22 NCR 1843	*	Approve	08/19/99			14:06 NCR 490	
19A NCAC 031.0701	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031.0804	13:16 NCR 1258		13:22 NCR 1843	*	Approve	07/15/99			14:06 NCR 490	
19A NCAC 031.0804	13:16 NCR 1258		13:22 NCR 1843	*	Object	07/15/99	*		14:09 NCR 708	
19A NCAC 031.0804	13:16 NCR 1258		13:22 NCR 1843	*	Approve	08/19/99				

VETERINARY MEDICAL BOARD

21 NCAC 66.0207	12:23 NCR 2089
21 NCAC 66.0208	12:23 NCR 2089

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